



Government
Health & Safety Lead

MENTALLY HEALTHY WORK - MODULE 4

Governing, Monitoring & Assuring





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1. DETERMINING
PURPOSE



2. AN EFFECTIVE
GOVERNANCE
CULTURE



3. HOLDING TO
ACCOUNT



4. EFFECTIVE
COMPLIANCE

Officer Duties:

PCBU does risk management, Officers do due diligence

PCBU (RISK MANAGEMENT):
So far as is reasonably practicable...

OFFICER (DUE DILIGENCE):
Take reasonable steps to...



...eliminate or minimise all risks to H&S



...**develop** and **keep up-to-date knowledge** of health and safety matters



...monitor the effectiveness of controls and systems, and use this to improve risk management



...**know** the **operations of the PCBU** and the health and safety **risks associated** with it



...engage with workers and provide opportunities for them to participate in H&S matters



...**ensure** and **verify** the PCBU has and uses all **appropriate resources** and **processes** to **eliminate** or **minimise risks** to health and safety to lowest level reasonably practicable



...consult, coordinate and communicate with other PCBUs affected by the PCBU's operations to jointly ensure risks are managed and duties are met



...**ensure** and **verify** that the PCBU has **appropriate processes** for **receiving** and **considering information** about incidents, hazards, and risks and for responding in a timely way to that information

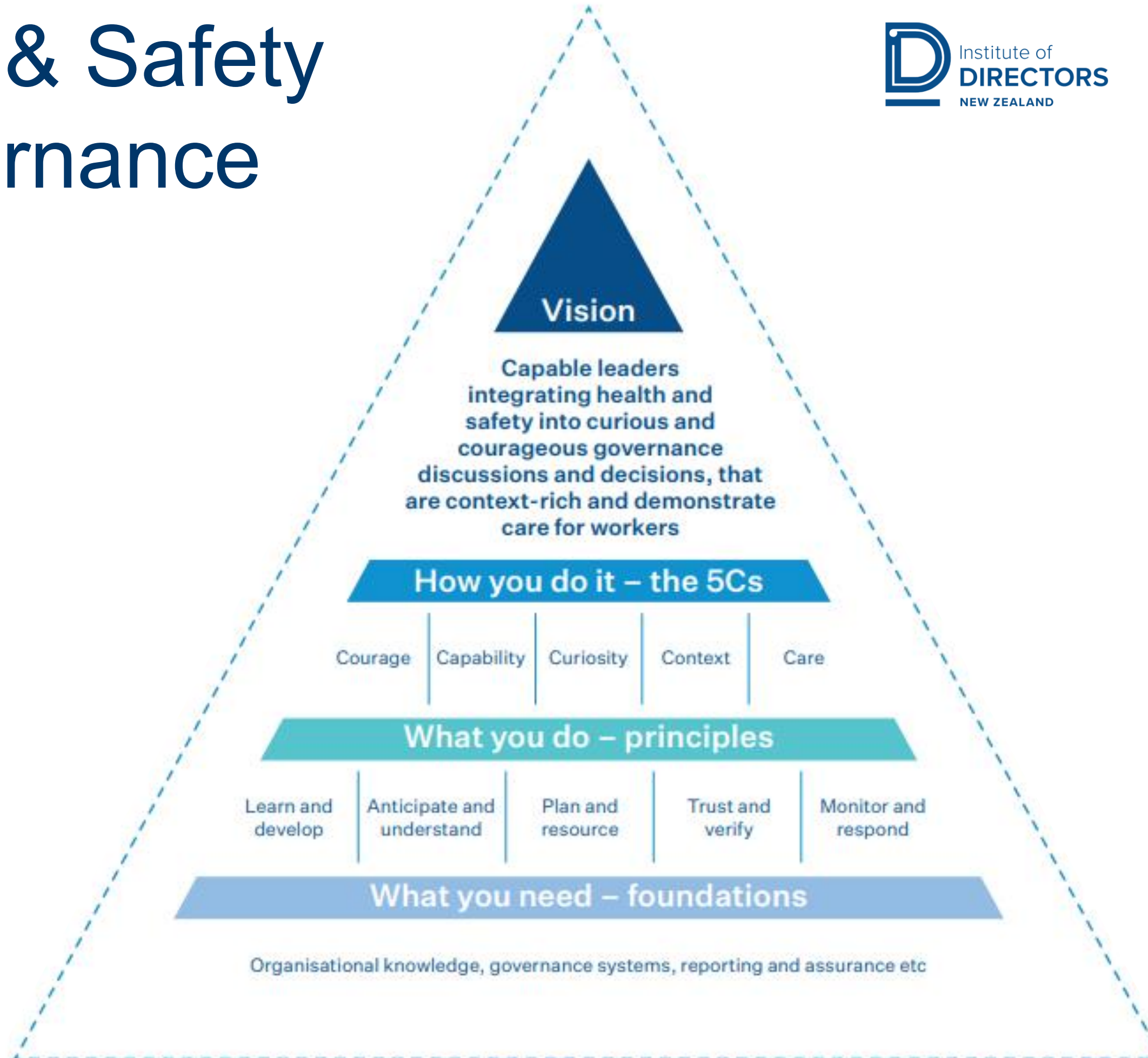


...have systems for receiving and using information relating to H&S matters



...**ensure** and **verify** the **PCBU has**, and **implements**, **processes** for **complying** with **any duty** or **obligation** of the PCBU **under HSWA**

Health & Safety Governance



Principle 1: Learn and Develop



Acquire and update knowledge of
[psychological] H&S matters

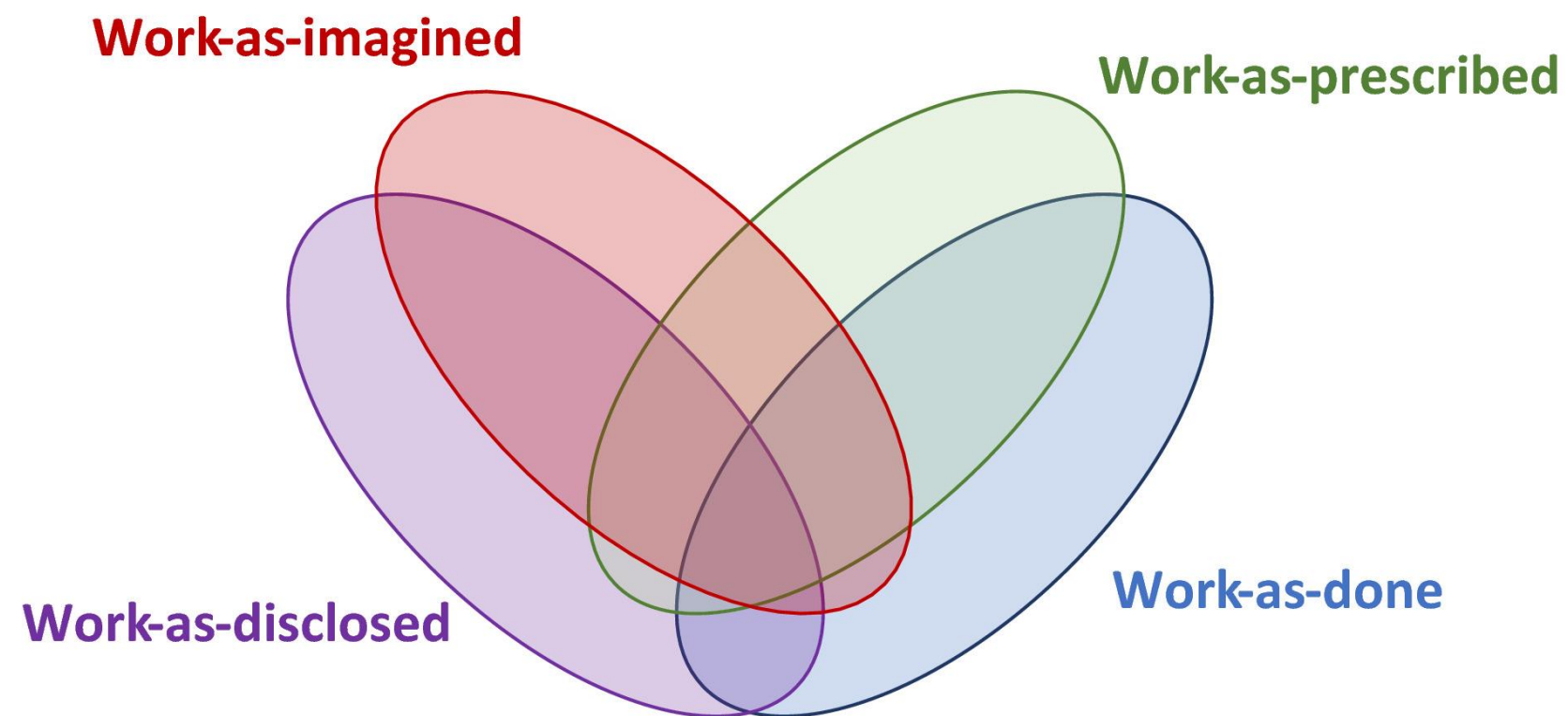


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Principle 2: Anticipate and Understand



Understand the nature of business' operations and its [psychosocial] risk profile



Psychological health
and safety overview



- ✓ Risk assessments
- ✓ Incident reports
- ✓ Senior leader frontline H&S site visits
- ✓ H&S Representative at Governance meetings

Due Diligence Questions

- What are the psychosocial hazards associated with each of the business/operational activities of the PCBU?
- Are particular groups, cohorts, or demographics exposed to particular psychosocial hazards?
- What enables mentally healthy work in this organisation?

Employment Court Case: Wiles v University of Auckland [2023]

During the Covid-19 pandemic, microbiologist Associate Professor Siouxsie Wiles became a household name. While she was celebrated for her Covid-19 public communications, a vocal minority subjected her to online and in-person abuse and harassment.

Associate Professor Wiles brought a claim against her employer, the University of Auckland, for breaching its health and safety obligations, breaching good faith, and for causing her disadvantage as a result of its actions.

The Court found that the University:

1. Breached its express and implied contractual obligations to protect Associate Professor Wiles' health and safety;
2. Breached its statutory duties of good faith by failing to engage constructively regarding health and safety and in how it dealt with Associate Professor Wiles's alleged breach of its outside work policies;
3. Breached its contractual obligation to be a good employer including as a result of its failure to act in good faith; and
4. Had unjustifiably disadvantaged Associate Professor Wiles.

Takeaway:

It is important to have the right plans/risk assessments in place to manage hazards that employees might be facing whether in or outside of the workplace, and these need to evolve in light of changing circumstances;

It is important for employers to manage health and safety risks in the workplace including psychosocial risks, such as harassment, even when these are not directly caused by the actions of the employer.



Principle 5: Monitor and Respond

Ensure information about [psychosocial] hazards, risks & [mental health] incidents gets to the top and is actioned



Assuring

Psychosocial Hazards

Outcomes

| | Work overload | Unfair Decisions and Treatment | Low Recognition and Reward | Low Job Control | Poor Change Management | Poor Career Development | Working Hours and Schedule | Extreme Environmental Conditions | Poor Co-Worker/Team Support | Poor Leader/Supervisor Support | % of staff intending to resign | % of staff experiencing burnout | % of staff dissatisfied with their role |
|--------------|---------------|--------------------------------|----------------------------|-----------------|------------------------|-------------------------|----------------------------|----------------------------------|-----------------------------|--------------------------------|--------------------------------|---------------------------------|---|
| Department A | 21.9 | 28.6 | 18.4 | 16.9 | 21.1 | 14.7 | 12.7 | 10.0 | 13.5 | 9.2 | 51% | 12% | 28% |
| Department B | 36.9 | 27.0 | 18.9 | 22.6 | 15.8 | 8.4 | 16.9 | 33.3 | 6.5 | 9.2 | 5% | 17% | 4% |
| Department C | 34.4 | 45.8 | 25.6 | 31.0 | 36.0 | 18.4 | 10.6 | 34.0 | 27.8 | 21.8 | 36% | 36% | 27% |
| Department D | 35.2 | 48.6 | 50.0 | 39.0 | 45.7 | 39.3 | 30.5 | 30.8 | 30.3 | 23.7 | 71% | 71% | 64% |
| Department E | 43.7 | 32.2 | 34.6 | 40.0 | 46.0 | 21.7 | 47.1 | 10.4 | 13.5 | 18.9 | 53% | 47% | 47% |
| Department F | 23.5 | 17.9 | 23.5 | 8.5 | 11.0 | 17.5 | 10.6 | 19.0 | 11.5 | 3.2 | 33% | 22% | 22% |

CONTROL ASSURANCE



Due Diligence Questions

- How well are risk controls and processes known about, understood and being applied?
- What insights do we have into the degree to which controls are known about, understood and being applied?











Principle 5: Monitor and Respond



Ensure information about [psychosocial] hazards, risks & [mental health] incidents gets to the top and is actioned

LEADING INDICATORS (THINGS THAT ENABLE MENTALLY HEALTHY WORK)

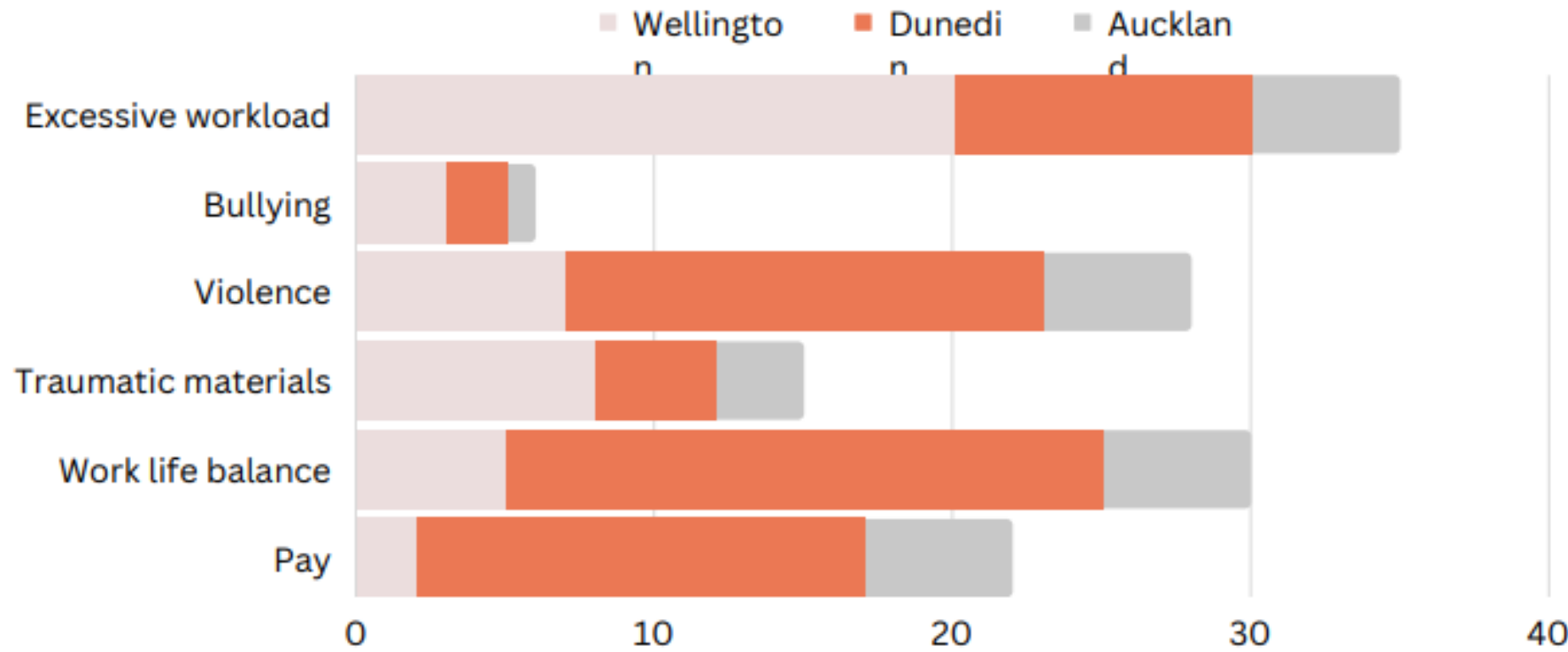
LAGGING INDICATORS (OUTCOMES OF MENTALLY HEALTHY WORK)

| | | | |
|---|--|---|--|
|  | Psychosocial Safety Climate (Management commitment / employee involvement) |  | % Employee Assistance Programme utilization |
|  | Number of reasonably practicable controls identified and implemented per psychosocial hazard |  | % Over-time worked |
|  | % Staff reporting feeling highly competent to do their work |  | % Sick leave used |
|  | % Psychological H&S controls known about and understood by those needing to apply them |  | Number of bullying and harassment complaints |
|  | % Psychological H&S controls being applied effectively |  | % Staff with intention to leave |

Mentally Healthy Work Development Programme: **EXAMPLE DASHBOARD**

Using existing data sources on psychosocial hazards within your organisation, create a dashboard that provides an overview of the psychosocial risk profile for your organisation. Here is an example:

Key psychosocial risks



Key roles and risks



Six-month foresight analysis

| Potential scenario | Potential impact | Psychosocial risk |
|--|---|---------------------------|
| Change in government October 2023 | Change in direction of work and resourcing | • Workload ↑ |
| Recession / continued cost of living pressures | Greater risk of job insecurity; Increased financial concerns by employees | • Job insecurity ↑ |
| Organisational restructure November 2023 | Change in roles and reporting lines may decrease role clarity | • Role clarity ↓ |

H&S Committee key themes

- Our frontline workers in Dunedin report insufficient staffing which requires them to often work overtime or extra shifts
- Violence and aggression continue to be a key psychosocial risk for frontline staff who report greater levels of volatility from the public post-COVID.
- Our case managers are seeing increased instances of traumatic or disturbing material in their case files.

Resources (Governance and Officer Due Diligence)

[Government Health and Safety Lead – Good Governance for Psychological Health and Safety](#)

[Government Health and Safety Lead – Data Sources and Dashboard for Psychological Health and Safety](#)

[Institute of Directors – The Four Pillars of Governance Best Practice](#)

[Institute of Directors – Health and Safety Governance: A Good Practice Guide & Self-Assessment](#)

[Business Leaders' Health and Safety Forum – Governance of H&S](#)

[Worksafe NZ – Officers Due Diligence & Statement on Reasonably Practicable](#)



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