



# Contractor expectations

## Health and safety incident notification, investigation and reporting

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# Document control

Version	Date	Author	Description of changes
2	May 2020	Senior manager critical risk	
3	March 2024	Health Safety and Wellbeing team	Full review and update

## Document principles and purpose

NZTA is committed to ensuring that our worksites are healthy and safe, to help improve workplace health, safety and wellbeing across the transport and construction sectors in New Zealand.

This document outlines what we NZTA expect from our supply partners when managing health, safety and wellbeing (HSW) incidents that relate to a NZTA worksite.

These expectations have been developed to assist us NZTA to meet our obligations under the Health and Safety at Work Act 2015 (HSWA), including as a contracting Person Conducting a Business or Undertaking (PCBU), and should not limit the plans or actions of any other PCBU regarding the management of HSW incidents.

The lead supply partner is responsible for ensuring that all NZTA requirements and standards are complied with. For the purposes of this document the lead supply partner is the PCBU(s) who holds the contract with NZTA.

## Outline of expectations

When a HSW incident occurs on a NZTA worksite (unless inconsistent with the context of this document) the lead supply partner is primarily expected to:



As well as the above, the lead supply partner is also expected to:

- ensure ongoing wellbeing support is provided to any worker experiencing negative impacts from a HSW incident.
- support their subcontractors to ensure all NZTA expectations are met.
- ensure all incidents are entered into the NZTA monthly contractor HSW performance report.
- coordinate with the appropriate NZTA media manager for all relevant media enquiries.

*Note: When assessing incident severity, it is important to take into consideration the potential for harm, not just the incident outcome. For the purposes of notification, investigation, and reporting of incidents to NZTA all incidents are to be classified according to the highest relevant NZTA severity classification level.*

**Table 1 Severity classification and action summary**

Incident severity classification	Incident outcome	Initial notification to NZTA	Investigation level/type	Reporting expectations
<b>High</b>	Fatality  Notifiable Event  Significant Harm <sup>1</sup>  High potential incident <sup>1</sup>	As soon as, and by the fastest means possible, on the day of the incident  To: The lead NZTA representative (or their delegate at the time)	Full formal investigation	Written initial incident report provided within two (2) working days.  Safety alert provided as soon as possible.  Monthly contractor HSW performance report- by 9 <sup>th</sup> of following month.  Finalised Investigation Report provided by 28 <sup>th</sup> of the following month.
<b>Medium</b>	Incidents that <b>did not have the potential to result in significant harm</b> , but resulted in: <ul style="list-style-type: none"> <li>• Lost Time (LTI)<sup>1</sup></li> <li>• Medical Treatment (MTI)<sup>1</sup></li> <li>• Restricted Work (RWI)<sup>1</sup></li> </ul> <p><b>Note: Please ensure the potential outcome of the incident is considered and that the correct incident severity is used.</b></p>	As soon as reasonably practicable within 24 hours  To: The lead NZTA representative (or their delegate at the time)	Supply partner to determine	Written incident report provided within two (2) working days.  Monthly contractor HSW performance report provided by 9 <sup>th</sup> of following month.
<b>Low</b>	Any other HSW incident, that does not trigger High or Medium incident severity.  <p><b>Note: Please ensure the potential outcome of the incident is considered and that the correct incident severity is used.</b></p>	Monthly contractor HSW performance report- by 9 <sup>th</sup> of following month	Supply partner to determine	Monthly contractor HSW performance report provided by 9 <sup>th</sup> of following month.

<sup>1</sup> Please refer to Appendix A for NZTA definition of terms

# Expectation details

## 1. Initial response and management of an incident

If a HSW incident occurs on a NZTA worksite, the relevant supply partner(s) are expected to respond to and manage the incident effectively. This includes firstly making the situation safe, providing first aid, and preventing further harm.

Supply partners must ensure that all relevant HSWA duties are met, including securing the incident scene and notifying the Health and Safety Regulator where required.

For **high** severity incidents - all relevant work at the incident site is expected to be stopped (so far as it is safe to do so) while the incident is responded to. It is expected that work does not restart until an appropriately competent person (to be determined by the lead supply partner) has reviewed/reassessed the site HSW controls and conditions and confirms that the work can safely resume.

In all instances NZTA reserves the right to require clarifying information and assurance as needed.

*Note: While appropriate for most, it is acknowledged that not all high severity incidents will warrant an immediate review of the site HSW controls and conditions prior to the work resuming, for example following a medical event. In these instances, the lead supply partner is expected to be able to adequately justify any decision not to stop work and/or review the site HSW controls and conditions.*

## 2. Determining the NZTA incident severity classification

For the purposes of notification, investigation, and reporting of incidents to NZTA, the lead supply partner is expected to promptly classify incidents against the severity levels in Table 1 and the definitions in Appendix A.

All incidents are to be classified according to the **highest** relevant severity level. For example, an LTI injury that resulted from a **high** potential incident should be classified as **high** severity.

Where there is uncertainty about an incident classification the supply partner should consult with the lead NZTA representative about which NZTA classification applies.

*Note: An updated notification or report is expected to be submitted to the lead NZTA representative if the incident severity classification increases at any stage.*

## 3. Notifying NZTA

Supply partners are expected to notify NZTA of any HSW incident that has occurred on a NZTA worksite in line with the methods and timeframes in Table 1.

To summarise, the notification expectations are:

- High severity incidents - notification directly to the lead NZTA representative (or their delegate) as soon as, and by the fastest means possible, on the day of the incident.
- Medium severity incidents - notification directly to the lead NZTA representative (or their delegate) as soon as reasonably practicable and within 24 hours.
- Low severity incidents - notification via the monthly Contractor HSW performance reporting for the contract.

## 4. Initial incident report

Supply partners are expected to provide the lead NZTA representative with a written initial incident report for all High and Medium severity incidents, within two (2) working days.

Any suitable written means may be used for submitting an incident report, including supply partners own incident reporting templates.

Unless out of context with the event, the following information is expected to be included:

- Name of project or contract
- Date, time, and location of the incident
- PCBU's and/or others involved (including their relevance to the worksite for example, Sub-contractor, Member of the Public)
- Brief incident description (what was happening at the time)
- Actual outcome(s)
- Potential outcome (based on the circumstances, what could have happened)
- Immediate response and actions taken
- HSWA notifiable event details (where notification is required)
- Detail of any post incident care provided to the affected person(s)
- Expected return to work timeframe for injured person(s) (where applicable)
- Investigation status (including reason if the event is not being investigated).

## 5. Incident investigations

NZTA expects the lead supply partner to ensure the causes of HSW incidents on NZTA worksites are identified and that the appropriate actions are taken to minimise reoccurrence of the incident.

### Investigation expectations for high severity incidents

A full formal investigation is to be undertaken by the relevant supply partner(s) for all **high** severity incidents (unless out of context with the event, for example a medical event).

Sufficient resources are to be made available as soon as possible following a **high** severity incident to enable a thorough investigation to be undertaken and to ensure all relevant factors are considered.

Through the investigation process, the relevant supply partner(s) are expected to:

- identify all factors that have contributed to the incident.
- determine the root or underlying cause(s) of the incident.
- determine and develop corrective actions (CA's) that clearly address the root cause(s) and any other contributing factors, to minimise reoccurrence of the incident.
- develop a CA's implementation plan which provides assurance that the CA's will be implemented effectively and in a timely manner.

Actions developed through the investigation process should:

- Be measurable
- Have a reasonable timeframe allocated
- Be assigned to an appropriate individual or team
- Be understood by the person(s) responsible for completing the action.

Supply partners are to ensure that any actions planned/taken to minimise reoccurrence of the incident are implemented effectively.

Any decision not to undertake a full investigation for a high severity incident is expected to be made in consultation with the lead NZTA representative or their delegate. This should include agreement about what actions (if any) will be undertaken in place of a full investigation.

Supply partners must ensure that all relevant HSWA Worker Engagement, Participation and Representation expectations are met throughout the incident management process, particularly when making decisions that will affect the health and safety of the worker/s on the project/contract.

## **Investigation Expectations for Medium and Low Severity Incidents**

The lead supply partner is to determine the appropriate level of investigation needed to ascertain cause(s), and any subsequent corrective actions, for Medium and Low severity incidents. Consideration should be given to the specific incident circumstances when making this determination.

## **6. Finalised investigation reporting**

Along with any verbal notifications and updates, the lead supply partner is expected to provide NZTA with written finalised investigation details for all HSW incidents.

### **Finalised investigation reporting expectations for High Severity Incidents**

The lead supply partner is expected to provide NZTA (via the lead NZTA representative or their delegate at the time) with a written final investigation report by the 28<sup>th</sup> day of the following month for all **high** severity incidents.

Where the submission timeframe for a final investigation report is unable to be met (for example complex investigations, legal privilege constraints) the lead supply partner is to discuss the matter with the lead NZTA representative or their delegate and agree an amended timeframe(s) for report submission, and interim information sharing.

It is important that comprehensive incident information is captured in the investigation report and that the information is presented in a way that enables full understanding of the event details, investigation findings and corrective actions (CA's) taken.

Any suitable written means may be used for submitting an investigation report, including supply partners own investigation report templates. However, unless out of context with the event, the following information must be included:

- Name of project or contract
- Date, time, and location or address of incident
- PCBU's or others involved (including their relevance to the incident and the project or contract for example sub-contractor, member of the public)
- Details of the work task, and any other relevant circumstances and factors leading up to the event
- Incident description (may include timeline or sequence of relevant events, plant or vehicles involved)
- Actual outcome (including any harm and/or damage that resulted)
- Potential outcome (based on the circumstances- what could have happened?)
- Immediate actions taken following the event (for example, secured scene and made safe, care provided, HSW controls reassessed)
- Details of all factors that contributed to the incident
- A clear explanation of the root cause(s) of the incident
- Details of any Corrective Actions (CA's) that have been, or will be, implemented
- A copy of the corrective action implementation plan, including due dates, any progress already made and individual or group responsible
- Detail of the wellbeing care taken or planned to support those impacted by the incident
- Copies of any relevant evidence and documents (including site photos, job planning documentation, relevant training logs, induction and site safety briefing details, plant or vehicle maintenance and inspection logs)
- HSWA notifiable event details (for example, was the event notified? was the scene held and Regulator requirements followed?).

***Note: While important to provide as much relevant detail as possible, it is vital that all privacy rights are upheld.***

**Please do not share private information such as personal medical details or records.**

NZTA may seek regular updates, as it deems necessary, on the status or progress of investigations, including findings and actions to date.

NZTA reserves the right to require further information and assurances from lead supply partner (s) regarding any incident relating to a NZTA worksite.

## **Finalised investigation reporting expectations for Medium and Low Severity Incidents**

Finalised details for all **medium** and **low** severity incidents are to be reported via the NZTA monthly HSW performance report.

Finalised details should include (but not be limited to):

- Incident summary
- Actual outcome
- Potential outcome
- Actions taken to minimise reoccurrence of the incident.

NZTA may seek regular updates, as it deems necessary, on the status or progress of investigations, including findings and actions to date.

NZTA reserves the right to require further information and assurances from the lead supply partner (s) regarding any incident.

## **7. Safety alerts**

It is important to share anything learned from incidents so that others have access to this information and we enhance knowledge across the sector.

The lead supply partner is expected to develop and distribute a safety alert (or lessons learnt summary) as soon as possible for all **high** severity incidents where learnings have been identified. It is expected that the safety alert is distributed:

- Across the relevant project or contract
- To the lead NZTA representative
- To [notifyhs@nzta.govt.nz](mailto:notifyhs@nzta.govt.nz)

NZTA reserves the right to request a safety alert or lessons learnt summary to be developed for other incident classifications. Any such request will be discussed with the relevant supply partner(s).

*Note: NZTA may use information provided in safety alerts and lessons learnt summaries to inform others as appropriate.*

## **8. Post incident worker wellbeing care**

Supply partners are expected to have systems that adequately manage the wellbeing of workers impacted by an incident, including the provision of ongoing wellbeing support.

NZTA expects post incident wellbeing management systems to include:

- Provision of organisational support for workers as needed, particularly for **high** severity incidents
- A process for ensuring workers who have been impacted by an incident are fit for work prior to resuming work duties
- Provision to limit, as much as is reasonably possible, the exposure of affected persons to situations which may prevent recovery, or cause further psychological harm, following a significant incident
- The opportunity for workers to undertake sensitive debriefing session(s) if their wellbeing has been impacted by an incident
- Regular assessment of workers who have been impacted by an incident for consequential symptoms, especially indications of post-traumatic stress disorder (PTSD)
- People leaders and managers understand the worker wellbeing systems, and how to implement them
- Access to, and recommendation of, professional counselling services.

Further detail regarding NZTA worker Wellbeing expectations can be found in section 6.4 of [The NZTA NZ Transport Agency Contractor Health and Safety Expectations Guidance for Supply Chain Partners](#).

NZTA reserves the right to seek assurances from lead supply partner regarding post incident worker wellbeing management.



## 9. Sub-contractor support

The lead supply partner of each project or contract are expected to support their sub-contractors as needed to ensure the relevant expectations in this document are met.

In all instances, report submissions to NZTA are to be made via the lead supply partner, who should verify that the expectation standards have been met prior to submitting to NZTA.

## 10. Monthly Health, Safety and Wellbeing performance reporting

All HSW incidents are to be entered in to the NZTA monthly contractor HSW performance report, for the relevant contract or project, by the 9<sup>th</sup> of the following month, as described in the [Contractor Health and Safety Expectations Guidance for Supply Chain Partners](#).

For assistance with the monthly HSW performance reporting tool, including having a project or contract added or removed, please email [notifyhs@nzta.govt.nz](mailto:notifyhs@nzta.govt.nz)

## 11. Media requests and external communications

All external media enquiries about an incident should be managed in consultation with a [NZTA Media Manager](#). Any external communications should also be shared with the relevant NZTA Media Manager or NZTA Engagement and Partnerships Practice Manager.

# Appendix A

## Definition of terms

For the purposes of this document, unless inconsistent with context, the following definitions apply:

### NZTA worksite

Any area where work relating to the roading network is being undertaken for, and under contractor agreement with, NZTA.

*Note: Includes relevant areas beyond the recognised boundaries of the worksite, unattended worksites, all driving for work relevant to the project or contract and dedicated offsite assembly areas.*

### Incident

Any unplanned or uncontrolled event, relating to a NZTA worksite, which put the health, safety, or wellbeing of a person(s) (including members of the public) at risk. This includes near misses and work-related ill-health.

### Fatality

The death of any person as a result of harm incurred on, or in relation to, a NZTA worksite.

### Notifiable event, and notifiable injury, illness or incident

As defined by the Health and Safety at Work Act 2015 –

[Section 23 - Meaning of notifiable injury or illness](#)

[Section 24 – Meaning of Notifiable Incident](#)

[Section 25 – Meaning of Notifiable Event](#)

### Significant harm

Any non-notifiable injury or illness that, for the person (worker or member of public) harmed, is:

- Life threatening, or
- Permanently life changing, or
- Likely to result in permanent impairment or disability

### High potential incident

Any (other) incident that:

- Had **reasonable** potential to result in a notifiable event, or
- Had **reasonable** potential to result in life threatening harm, or
- Had **reasonable** potential to result in permanently life changing harm

### **NZTA considers that high potential incidents also include (but should not be limited to):**

- Any service strike that put a person at risk of sustaining harm (*Note: Includes strikes that have impacted critical communication services*)
- Any unplanned near hit of a high-risk utility service (electricity, gas)
- Any mobile plant roll, tip over or loss of control

- Any loss of control or crash of a vehicle being used for NZTA related work, which put a person(s) at risk of sustaining significant harm
- The breach of a legislated health and safety regulation involving risk to the health and/or safety of any person(s)
- Any serious aggressive behaviour directed at a worker on a NZTA worksite
- Any serious vehicle crash involving a member of public within a worksite or Temporary Traffic Management (TTM) zone
- LTI, MTI and RWI's that had reasonable potential to result in a Notifiable event or Significant harm.

***NOTE: Harm does not need to occur for an incident to be of "High" severity***

### **Lost Time Injury (LTI)**

An injury sustained by a worker, during work relevant to a NZTA work site, which results in at least one full shift absent from work due to the injury (does not include time travelling off site for injury diagnosis).

***Note: Before reporting, please ensure the incident potential is assessed and confirm that the correct incident severity is selected.***

### **Restricted Work Injury (RWI)**

An injury sustained by a worker, during work relevant to a NZTA work site, which has not triggered an LTI but has resulted in a medical professional diagnosing that the worker is unfit for their normal work duties.

***Note: Before reporting, please ensure the incident potential is assessed and confirm that the correct incident severity is selected.***

### **Medical Treatment Injury (MTI)**

Treatment (other than first aid) by a medical professional of an injury sustained, or notably aggravated, during work relevant to a NZTA work site,

and/or;

Diagnosis or treatment by a medical professional of a health condition directly attributed to work on a NZTA site.

*For clarity, the above does not include:*

- Being seen by a medical professional for assessment and or testing only (for example, no medical treatment given or required)
- Proactive treatment provided to prevent injury or illness, where no work-related injury or illness is suspected or present
- Treatment provided to a worker for a condition that is not related to work on a NZTA worksite.

***Note: Before reporting, please ensure the incident potential is assessed and confirm that the correct incident severity is selected.***