

You can lead a horse to water, but you can't make it drink

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New Zealand is proud farming nation, but statistics show that our health and safety record on farms is nothing to boast about. At least 120 people have died from work-related injuries on New Zealand farms since 2008. Over 21,000 workers made a farming-related injury claim to ACC in 2013 alone and 25% of all ACC claims arise in the farming and agricultural industry. The cost of these fatalities and injuries to New Zealand's primary sector is significant, and it is estimated that at least 220,000 work days are lost each year due to them.

In an effort to improve this record, WorkSafe New Zealand has collaborated with ACC and key sector organisations, such as Federated Farmers, to create the Safer Farms Programme. The programme has appropriate, albeit not overly ambitious, aims, such as to:

- Raise awareness and understanding of the major safety issues faced by people working on farms, and the costs of not taking appropriate action to keep people safe
- Educate duty-holders of their legal responsibilities
- Provide practical resources to help reduce these risks, including best practice guides, fact sheets and practical tools to help farmers effectively manage the most significant farming hazards.

On the face of it, the programme would appear to achieve these aims. But the real question is whether the programme will make a meaningful difference to the safety of people working in a sector that traditionally has not (at least anecdotally) embraced health and safety.

What does the programme involve?

To raise awareness and understanding, and educate duty-holders about health and safety, WorkSafe plans to:

- Work with training organisations and rural service providers to ensure advice about health and safety on farms, and the services provided, are consistently meeting the best practice guidance that it provides
- Develop and support regional feedback and safety leadership groups to ensure industry and worker participation in health and safety issues that matter to them
- Coordinate its programme activity with industry sector and community-led safety initiatives
- Develop and deliver a farming health and safety education programme in rural schools
- Ensure the collection and provision of targeted research and up-to-date information on national and regional injury statistics.

WorkSafe will also continue its on-farm safety assessments and will bring enforcement action targeted at areas of greatest risk.

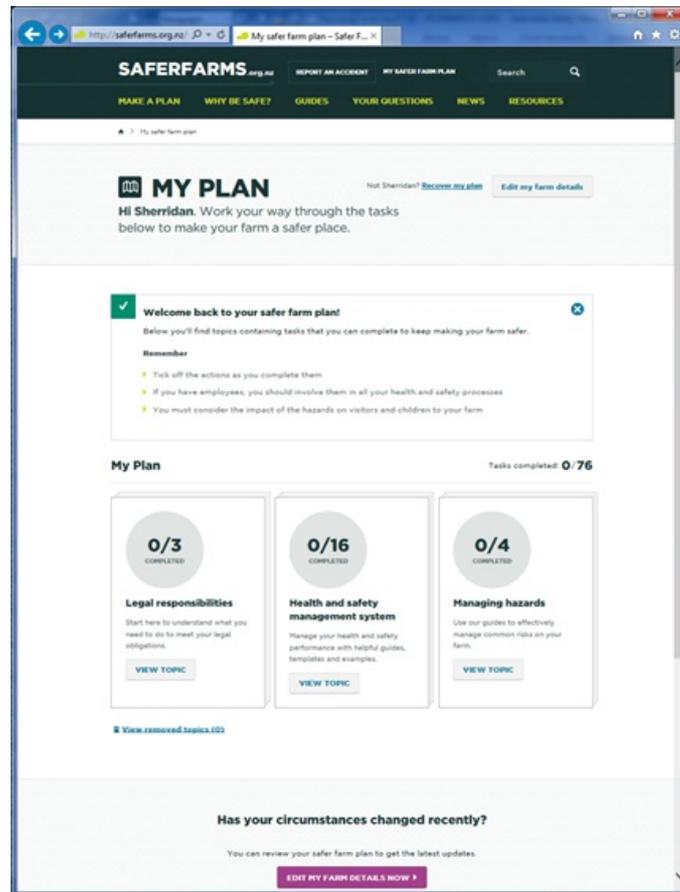
A key part of the programme has been the development of the www.saferfarms.org.nz website, which is intended to provide a user-friendly platform for all farmers to learn about and proactively manage their health and safety risks and obligations in a context-specific forum. The website is relatively informative and contains detailed information and guidance to all those involved in farms (whether it be a farm owner, employee, principal or contractor) about their legal health and safety obligations and the steps that are likely to be "reasonably practicable" to take to ensure their health and safety.

Helpfully, the information and guidance goes beyond the well-publicised risks of using vehicles and machinery on farms. It contains specific guidance on health and safety around livestock, recognising that animals are unpredictable and cause a large proportion of the injuries suffered on farms. It also encourages farmers to take a holistic approach to ensuring their worker's health and safety by promoting reasonable working hours and rest breaks to avoid fatigue, providing minimum standards of worker

accommodation, and monitoring workers' mental health, use of alcohol and drugs and gambling. The guidance also requires farmers to consider children and young people who may be visiting, living and/or working on a farm, which is a particular risk given their frequent presence on farms.

The website even has a link for farmers to report farm accidents directly to WorkSafe.

But one of the website's main objectives is to encourage farmers to make a health and safety management plan. It does this, somewhat innovatively, by allowing users to quickly create such a plan based on their farms' particular characteristics. We created a plan in about five minutes, although it would take much longer to work through all the tasks.



Will the programme help to reduce fatalities and injuries on our farms?

Despite these tools, the question remains whether farmers will be willing to change. As a general observation, there has been a reluctance amongst farmers to address health and safety issues, which is probably rooted in New Zealanders' "she'll be right" attitude. This is demonstrated in our farmers' persistent unsafe use of quad bikes, despite their involvement in approximately 850 injuries and five fatalities per year. For example, a farming couple in Blenheim continued to use their quad bikes without helmets (and often with their small children as passengers) despite having been issued with prohibition notices by WorkSafe. As a result, they were each fined \$20,000. However, despite the injuries, fatalities and fines, problems with quad bikes continue to be prevalent throughout the farming community.

This cultural reluctance to address health and safety indicates that drastic action is required if WorkSafe wants to make an appreciable impact on the number of injuries on our farms. We suggest that while the Safer Farms Programme will generate awareness about health and safety risks and obligations, and provides useful and practical tools to ensure those obligations are met, it may not create the cultural shift that WorkSafe desires and our farmers need.

The best practice guides within the programme are just that – guidance. WorkSafe accepts the guides as representative of the minimum standards each farm is expected to meet. However, there is an inherent understanding that farmers are best positioned to assess, understand and control the risks faced on their own farms, and may choose not to follow the guides if they believe the recommended steps are not reasonably practicable for them. The guidelines do not direct farmers to manage their health and safety in any particular way, and do not carry the legislative weight that an act or supporting regulations would achieve. Therefore, we expect that many farmers will not adopt the best practice guides in the same way they would if they knew that it was expressly unlawful for them not to.

The sheer amount of work recommended by the guides may also be overwhelming for many farmers (particularly those who have no health and safety measures in place at all). This, together with the cultural reluctance to change the status quo, may mean that

despite WorkSafe's hard work, the Safer Farms Programme does not significantly reduce the number of injuries.

Despite the guides promoting reasonable working hours and conditions, the Council of Trade Unions (CTU) has also criticised the Safer Farms Programme. It says that the programme does not go far enough in addressing farm workers' poor employment conditions. It highlighted that farmers work an average of 51 hours per week for just \$17.34 per hour, and that 67% of employers report that they have not provided any formal training to their staff. The CTU says that it is these employment practices that cause the large number of injuries and fatalities on farms. It considers that more regulations, together with more active enforcement by WorkSafe, is required to create any meaningful change.

The future

The need for a cultural shift on our farms is the same need that resulted in the Health and Safety Reform Bill that is currently before Parliament. If passed, that legislation will impose personal liability on farm "officers" (i.e. people that make decisions that affect the whole or a substantial part of a farm, such as farm managers), and therefore may be more effective in creating a cultural change from the top. It will also put in place more specific obligations for duty holders (including in respect of plant, which would cover farm machinery and vehicles) and greater penalties against non-compliant duty holders. This should drive home the need for all farmers to ensure the health and safety of everyone on their farms, and provide the backbone against which the Safer Farms Programme can successfully operate.

This article was written by [Sherridan Cook](#) and Alexandra Wallace for the ISN Magazine (April 2015).

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