



SAFER FARMS PROGRAMME

AGRICULTURE MYTHS

MYTH 01: Health and safety just means more paperwork

Farming health and safety isn't about filling in endless forms. In fact, under current workplace laws, there are only two documents you are legally required to have, an accident register and list of all the hazardous substances on your farm. Similarly under the new health and safety laws, you'll also need to keep a record of what are known as "notifiable events" – incidents that result in fatalities, serious injuries and illnesses.

However, you are required to have a system which identifies and manages the workplace risks created on the farm. It doesn't need to be complex, it just needs to clearly identify risks, and record the steps you have put in place to manage and communicate these. What's important is thinking about the risks and thinking about what to do about managing those risks – making sure that everyone who needs to know this information does. While you are not legally required to write this down, it will actually save you time in the long run and be easier to communicate to others if you record what you have done. If you need to know where to start, the Safer Farms website is a good place to go – www.saferfarms.org.nz, or if you don't have good internet access call 0800 030 040 for hard copies of the Safer Farms toolkit.

The information includes practical advice on how you can manage the most common hazards. It also has templates that you can use when constructing your risk management system. These guides are representative of the standard you're expected to meet but at the end of the day you're best placed to assess, understand and manage the risks on your farm. This is a statement of what WorkSafe considers to be compliant. If you choose not to follow the guidelines, you'll need to put steps in place that are at least as effective.

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MYTH 02: Farming is inherently dangerous, accidents happen

Yes, dealing with weather extremes, animals and large machinery does carry risks and can be dangerous. But that doesn't mean all accidents have to happen. Some simple steps can reduce the risk of an accident happening. The secret isn't in any paperwork, it's in the thinking you do before you start the task. Think about what has to be done, how it is going to be done, when, and who is going to do it. If you've already done the thinking before you start the task, you will already have the risks and solutions sorted. It's worth noting that a lot of accidents happen during the tasks that are performed most. That's because something may be different, like how tired the person is, how agitated the stock are, how hot or cold or wet it is, or how slippery the shed floor is and how fast you are trying to get things down. Think of health and safety risk management like you would financial risk management. Both involve identifying the risks, assessing the options, and managing and reviewing them to understand what worked and what could be improved. Ultimately, this process will mean you will have a more efficient, profitable and safe business.

MYTH 03: A visit from a WorkSafe inspector or an investigation will always just result in a fine or prosecution

Only a very small number of visits from inspectors result in a fine, and even less in prosecution. In fact over the last two years, on average only one in 600 visits resulted in a fine. Twice as many people have died on farms than have been prosecuted for a workplace farm incident. Inspectors want workplaces to be safe. During a visit, they will ask you about what steps you have taken to ensure your farm is safe. They will ask to see some things that show that this is what you are actually doing (you might have a great written maintenance schedule for your vehicles, but a bald tyre tells the inspector a lot more). If you have staff, the inspector will want to talk to them about what's happening to be sure good practices are in place – safety in a folder on a shelf is no substitute for good practice.

What happens when something isn't right? In the first place, there will be a discussion about how things can be improved and probably a written notice to back this up. In the case where something is so dangerous that it should be stopped immediately, a prohibition notice may be issued. These actions are designed to help make the workplace safer without imposing penalties. Infringement fines and prosecutions through the courts may happen when farmers fail to comply with these warnings or prohibitions over a period of time, or where there is serious non-compliance or a situation has developed involving the potential for fatalities or very serious harm.

After an incident there will be an investigation. In this case, the inspector will look to see what happened and whether it could have reasonably been prevented through good health and safety practices. This means, for example, they could contact your local service agent to check whether a tractor involved in an incident was serviced regularly. If it was, then the investigation is likely to be very different to one where it was in poor condition. If the farmer does not have good health and safety practices in place, the likelihood of prosecution increases.

MYTH 04: You're liable for everyone who has an incident on your farm

In the new Act, the duty to manage risks arising from a workplace that is a farm will only apply to the farm buildings, the areas immediately surrounding the buildings, and other parts of the farm where work is being carried out. These changes mean that the farmer's duty to manage and control the risks arising out of the workplace doesn't apply to other parts of the farm. The farm house is not included as part of the farm workplace.

Under the new law, you will be responsible for ensuring the health and safety of your workers and others so far as is reasonably practicable. That means you're only responsible for what you can control. You can take a different approach depending on the type of visitor.

Recreational visitors

For recreational visitors like hunters or trampers, you only need to verbally warn them of any risks they might not reasonably expect. You don't have to fill out forms or sign everyone on or off the farm (unless you want to, of course).

There are a few things you are unlikely to be responsible for, such as:

- > If a visitor you've given permission to go on the land is injured and you've already warned them about any hazards that they wouldn't normally expect to face
- > Warning visitors about natural hazards considered normal for farms, such as bluffs, landslides, rivers or swamps
- > If anyone comes on to your land for an unlawful purpose and they get hurt because of a hazard at the farm workplace.

Contractors

You have a slightly different level of responsibility for contractors visiting your farm to work for you.

You are unlikely to be liable or responsible for risks or dangers introduced by the contractor that you're unaware of, or are outside your knowledge or control. But you will need to tell the contractor of the risks your work poses to them.

MYTH 05: WorkSafe is trying to ban quads

Quad bikes are a valuable and essential farm tool when used correctly and appropriately. But every day at least two people on farms need medical attention because of quad bikes. They are also a factor in 25% of deaths on farms. WorkSafe and manufacturers both provide guidance for the appropriate use of quad bikes. We encourage farmers to consider whether their quad bike is the right vehicle for the task at hand. It's easy to lose control of a quad bike if you're distracted, it's heavily loaded, you're towing a heavy weight, or riding over difficult ground. For many farmers quad bikes are the only vehicle they use for light jobs, however, in some circumstances it's best to use another vehicle. Whether you use a quad bike, tractor or ute, for instance, the requirement to keep people safe in your workplace means you need to choose the right vehicle for the job.

MYTH 06: We can't have kids on the farm anymore

Children are a vital component of farming family life and WorkSafe does not want to change this. Farmers are responsible for ensuring other people (including children) are not put at risk from the work carried out on the farm. The known risks on farms are best understood and managed by farmers, and this includes risks to children.

Farms come with big machines, big animals and big pressures. Children and their parents need to be aware of the risks farms present and work to manage those risks – acknowledging that managing these risks for children is different from managing them for adults. The younger the child, the less risk averse they are, and the more attention needs to be paid by parents or carers. But many risks can easily be managed by, for example, using vehicles suitable for passengers, fencing artificial ponds, covering pits, or even creating “safe kid zones” in dairy sheds, or working together with neighbours as farmers have always done. This means farming parents can still keep their children safe during busy work times.

MYTH 07: I'll have to give up farming because of the excessive compliance requirements

The new legislation will not impose onerous new requirements for farms. It is an extension and strengthening of the existing law, putting the onus on those who can actually influence health and safety decisions. While there is a little bit of work in getting things up and running, once it is in place it should just be part of daily work activity. Given that safety is protecting the most important resource on your farm – you, your family, staff, and visitors – it also makes good business sense.

MYTH 08: I've been farming for 30 years – I know my way around the farm and don't need a WorkSafe inspector telling me what to do

An inspector's job isn't telling you how to farm, but to help you be sure you are recognising and managing risks that may cause an injury to you, your family, staff or visitors. Inspectors will engage with you and will be interested in your business – your knowledge and expertise is in farming, ours is in health and safety. Both are important in the workplace.

MYTH 09: Safety is just common sense

If health and safety was really just common sense, and if common sense was really common, then we would not have the accident and death rates that we do. Good health and safety needs to be based on more than just common sense and good farmers manage risk by placing the same priority on health and safety as on other production decisions. Our job is to help you make good risk management practice a common event on your farm. Many farmers have indicated they know good health and safety is important but don't know where to start. We want to help with that. Get started by visiting www.saferfarms.org.nz or calling 0800 030 040 to get a Safer Farms toolkit.

MYTH 10: I need signage for all risks on my farm

You're only legally required to have signs around chemicals and fuel installations, such as the chemical store or diesel pump. That means you don't have to nail a sign on the farm's front gate or cattle stop. As with our advice about visitors, if you do have public access across your farm, you should erect a sign letting visitors know of any general hazards or specific risks, such as spraying in a paddock.

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