

Appendix 1





Appendix 1

Planning considerations and requirements

Planning health and safety doesn't have to be complicated, time-consuming or costly. It's easier than many people think and a lot of it is common sense.

Health and safety requires you to think about everything you can do to prevent harm, protect people and help to ensure the success of your production.

Who needs to read this chapter?

This chapter is primarily for those involved in planning screen productions (primarily for PCBUs and officers, although workers may find it useful), including production companies, producers, production managers and directors. It has been developed as a guide to help you think about what needs to be done to ensure health and safety on your production.

The approach you need to take will depend on the size of your production and the nature of your shoot. Smaller productions, or productions in low-risk locations, may require less resources and time, while complex or larger productions will likely require more. These guidelines are here to help you plan.

If you have any concerns you should seek the advice of a professional health and safety expert.

ScreenSafe advice on health and safety should not be used as a substitute for professional health and safety or legal advice. ScreenSafe recommends that a professional is always consulted.

Health and safety documentation should always be customised to suit the production.

Health and safety requires you to think about everything you can do to prevent harm, protect people and help to ensure the success of your production.



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Who's taking the lead in planning?

As the organisation bringing the PCBUs together, the production company should take the lead in planning and ensuring the coordination of all health and safety matters. This does not remove the responsibility of other PCBUs in ensuring health and safety on set and there will be overlapping health and safety duties. All PCBUs must consult, cooperate and coordinate activities in order to manage health and safety, and have a duty of care to ensure workers and other persons are not harmed from work undertaken during the production.

So everybody is clear on roles and responsibilities throughout the production process, the production company should document all decisions assigning specific health and safety duties and responsibilities to PCBUs. All PCBUs involved in the production should have access to this documentation.

Remember, assigning control of a certain aspect of health and safety to one PCBU does not eliminate the responsibility of other PCBUs on health and safety matters, and everyone must maintain responsibility for risks created by the work they undertake.

If you have control or influence over an aspect of the production, it's your legal obligation to make health and safety part of the day-to-day running of the production.

Key definitions to understand

HAZARD – something that has the potential to cause harm – either to a person or a material object, for example:

- an object such as machinery;
- substances like chemicals;
- the environment such as excessive noise; or
- fatigue.

RISK – the combination of the likelihood of the hazard occurring and potential for that hazard to cause harm, including the severity of the harm. The level of risk will depend on factors including how often the task is done, the number of workers that could be affected and how serious the harm could be.

RISK MANAGEMENT – thinking, planning and taking action for the risks and their consequences. You should think about anything that may help you manage risk, including business practices, training and communication with workers.

NEAR MISS – an incident which did not result in injury, illness or damage, but could have done so.



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Leading in health and safety

PCBUs and officers need to lead and show commitment to health and safety, including:

- ensure legal and regulatory compliance – see [Section 4](#) of ScreenSafe’s guidelines;
- ensure a [health and safety plan](#) is developed and adhered to;
- ensure the culture of the screen production and any health and safety policy align;
- engage with workers and provide the opportunity for worker participation;
- assign health and safety accountabilities and responsibilities;
- ensure the necessary resources are allocated to health and safety; and
- communicate with cast and crew about health and safety matters.

This commitment includes ensuring there is accountability, authority and appropriate competence on the production for identifying, assessing and managing health and safety risk, including:

- identifying risk owners¹, who have the accountability and authority to manage risks;
- identifying other responsibilities of people at all levels of the production;
- establishing reporting and escalation processes; and
- resourcing with:
 - people who are competent²;
 - methods and tools to be used for managing risk; and
 - ways for documenting your health and safety plans and actions.

Just because you have health and safety documentation doesn’t mean you are exempt from liability. Always consult a professional in the relevant field for advice on any specific situation or issue.

Key health and safety documents

Health and safety policy	Will let workers and others know about your commitment to health and safety
Health and safety plan	Your blueprint as to how you will manage health and safety
Risk register	Where the findings of the risk assessment are kept
Incident register	Keeps track of all safety incidents on the production
Health and safety induction	Introduces new workers to how you manage health and safety
Injury or illness investigation form	Helps you to understand and learn from injuries and illnesses and is a good way to keep detailed records

1. The person who is in charge of the activity or task which has created the risk.
2. Someone who is qualified, experienced, and skilled to the task they are required to do.



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Health and safety policy

A health and safety policy will let workers and others know about your commitment to health and safety.

It should outline a production company's:

- health and safety aims and objectives, and how they are to be achieved; and
- commitment to complying with the Health and Safety at Work Act 2015 together with an acknowledgement of the ScreenSafe's guidelines.

The policy should be:

- specific to the production;
- easy to understand;
- signed by the PCBU/senior officer (e.g. producer); and
- easy for workers to access.



[YOU CAN FIND A SUGGESTED HEALTH AND SAFETY POLICY TEMPLATE HERE](#)

Requirement for a health and safety plan

ScreenSafe recommends that a health and safety plan is developed in partnership with a competent health and safety professional to ensure all aspects required are sufficiently covered. Part of what creates a safe work environment is the process of developing a plan. The plan will help you identify the potential hazards and associated risks and how to address them.

The requirements for a health and safety plan are outlined [later in this chapter](#).

What do I need to consider and when?

Pre-production

Pre-production is both planning and initial implementation. This section relates more to the planning activities that occur before crew are hired and activities such as set-construction commence.

In pre-production, a production company (likely to be the primary PCBU) must clearly identify who has control over the various health and safety aspects of the production process, and ensure those people are competent.

Production companies should ensure a health and safety policy is established (in document form), distributed to all workers and available to all stakeholders and third party contractors. They must work with all PCBU's with influence or direction over the production – including directors, producers and production managers.

Funders should consult, cooperate and coordinate activities with the production company to ensure best health and safety practices are met.



[SECTION 4 OF SCREENSAFE'S GUIDELINES, UNDER THE RESPONSIBILITIES OF A PRODUCTION COMPANY, FURTHER OUTLINE THE STEPS THAT SHOULD BE TAKEN IN PRE-PRODUCTION.](#)



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HEALTH AND SAFETY EXPERTISE

A health and safety officer has the expertise and knowledge to reduce the potential for harm on your production set, look after your workers and ensure you comply with legislation. They will be able to provide advice and expertise you might otherwise not be aware of or have access to.

You should engage a health and safety officer early in the pre-production phase, so they are able to provide input into your health and safety policy and risk assessment/s, develop health and safety information and conduct inductions.

LOCATIONS

ScreenSafe has developed specific guidelines on health and safety considerations for locations, which should be read by anyone responsible for an activity or task in relation to the location of a production.

Production

While technically the term 'production' refers to the shoot, this section also covers the pre-production period when crew are hired and activities such as set-construction are undertaken. It also covers on-set post-production like 'strike'.

Production companies must continue to consult, cooperate and coordinate with PCBUs and workers throughout the production. Some practical considerations include:

- engaging with workers;
- providing opportunities for workers to participate in workplace health and safety matters;
- communicating risks to workers throughout a production process and providing updates as necessary if risks change, or new risks arise;
- ensuring that work only begins once adequate risk assessments, and implementation of controls, have been made;
- consulting, cooperating and coordinating with other PCBUs;
- monitoring health and safety compliance throughout a production process;
- reporting all safety events, including near misses;
- investigating any health and safety events, near misses or concerns; and
- ensuring working hours are managed effectively throughout a production process.



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Post-production

For this section, post-production refers to non-set activities, such as editing and sound mixing. Planning for post-production often occurs in the production phase.

While the risks in post-production will be different to the earlier stages of a production process, the steps that should be taken are similar and include:

- undertaking a risk assessment for the post-production phase;
- updating risk registers to reflect risks that are specific to the post-production phase;
- ensuring that all workers are briefed on health and safety issues, including risks and how these are being managed;
- continuing to engage with workers on health and safety matters;
- working with any other PCBUs involved in the post-production process; and
- continuing to monitor health and safety, including any safety events.

After the production it is good practice to review the whole health and safety system, and identify what worked and what didn't, so you can learn for future productions.

Risk assessment

A risk assessment must always be undertaken – it must be 'suitable and sufficient' for the particular production. Wherever possible, it is recommended that a health and safety officer undertake the risk assessment. A risk assessment will:

- identify hazards;
- assess the hazards and associated risk; and
- put control measures in place.

The health and safety plan should include the procedures for identifying workplace risks and the controls for eliminating or, if elimination is not possible, minimising them.



**APPENDIX 2 OUTLINES WHAT IS EXPECTED FROM A RISK ASSESSMENT
AND HOW TO UNDERTAKE ONE.**



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Health and safety plan requirements

A health and safety plan is your blueprint to managing health and safety during a production. Its purpose is to prevent loss, injury and death. The plan should include sections as outlined below.

RISK AND INCIDENT REGISTERS

There should be procedures in place for recording and investigating hazards, injuries, near-misses and work-related illness.

A **risk register** will identify and record all known potential hazards and risks, and the measures to control them.

An **incident register** will keep track of all safety incidents and can be used to assess future risks.

An **injury or illness investigation form** is required to record any incident in detail and can also help you understand and learn from the safety event.

An individual should be appointed who is responsible for the registers. This could be the health and safety officer.



YOU CAN FIND TEMPLATES FOR A RISK REGISTER, INCIDENT REGISTER AND INJURY OR ILLNESS INVESTIGATION FORM HERE.

MONITORING AND REVIEW

Monitoring and reviewing health and safety on a production should take into consideration the duration and nature of the specific production to determine the level of monitoring required, and include:

- ensuring that controls are effective and efficient;
- monitoring the health and safety of workers exposed to risks that can't be eliminated;
- learning from safety events, trends, successes and failures; and
- identifying emerging risks.

ENGAGEMENT AND PARTICIPATION

Consideration must be taken into how workers will be engaged on health and safety matters and their opportunities to participate in health and safety decision making.

Your health and safety plan should outline how you will engage with workers and communicate health and safety matters, including a site safety induction and providing updates on new or altered risks.

HEALTH AND SAFETY REPRESENTATIVES

A health and safety representative is a worker who has been elected by the members of their work group to represent them in health and safety matters. Any business can choose to have health and safety representatives.

Find out more about what training a health and safety representative must have so they are able to use the functions and powers under the Health and Safety at Work Act 2015



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REPORTING PROCEDURES

The health and safety plan should outline how cast and crew will report safety concerns and incidents. This may be a system where they can write down concerns or you may set an expectation where all incidents are reported to the assistant director, health and safety officer or their direct supervisor. This can be documented in the relevant registers and forms.

All workers should be encouraged to report safety events, such as injuries on set, as well as near misses where harm could have occurred.

Some workers may be afraid to report safety concerns and incidents. Consideration should be made as to whether an anonymous telephone line or reporting system needs to be implemented. Alternatively, you may consider a process whereby a crew representative acts as a confidant.

Under the Health and Safety at Work Act 2015 you must notify WorkSafe when certain work-related events occur. The health and safety plan should identify who makes these notifications, it could be the health and safety officer, assistant director or production manager. Every worker has an obligation to report specific safety events to WorkSafe; if you do not believe an event has been reported, it is your duty to do so.

See the section '[reporting to the regulator](#)' for more information about notifications.

COMMUNICATION

Health and safety communication must occur at all stages of a production. The health and safety plan must identify how you will communicate with your workers. This includes early discussion with crew when engaged to work on a production, in contract documents and during induction.

Daily call sheets should include relevant health and safety information.



[YOU CAN FIND A SUGGESTED HEALTH AND SAFETY CHECKLIST FOR CALL SHEETS HERE](#)

EMERGENCY PLANNING

Under the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016, a PCBU must ensure that an emergency plan is prepared.

This must specify emergency procedures, including:

- an effective response to an emergency;
- evacuation procedures;
- the procedure for notifying emergency service organisations at the earliest opportunity;
- medical and treatment procedures; and
- procedures to ensure effective communication between the person authorised by the PCBU to coordinate the emergency and workers.

The emergency plan should also outline how you will test emergency procedures, as well as how you ensure workers understand the procedures and any training that may be required.



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Reporting to the regulator

When must you notify?

You must inform WorkSafe of all notifiable events.

Death	If there is a death at a workplace, you MUST notify WorkSafe as soon as possible.
Notifiable injury	You MUST notify WorkSafe if a person: <ul style="list-style-type: none">• suffers a notifiable injury as a result of work, or• suffers an injury that requires or would usually require them to be admitted to hospital for immediate treatment, or• is injured through exposure to a substance which requires, or would normally require, them to receive medical treatment within 48 hours of the injury occurring.
Notifiable illness	You MUST notify WorkSafe if a person: <ul style="list-style-type: none">• becomes seriously ill as a result of work, or• contracts an illness which would normally require the person to be admitted to hospital for immediate treatment, or• requires medical treatment within 48 hours of exposure to a hazardous substance, or• contracts a serious infection to which the carrying out of work is a significant contributing factor including any infection due to carrying out work.
Notifiable incident	You MUST notify WorkSafe, if someone has been exposed to a serious and immediate risk to their health and safety because of an unplanned or uncontrolled work incident – this used to be referred to as a ‘near miss’.

What must you do if a notifiable event occurs?

PRESERVE THE SITE

The person who manages or controls the production must take all reasonably practicable steps to ensure that the site of the notifiable event is preserved and not disturbed until a WorkSafe inspector authorises you to do so.

To ensure the site is not disturbed:

- the work set-up should not be changed;
- any plant, substances or other things involved in the incident should stay where they are;
- work that could interfere with the site should stop – work may continue in other parts of the workplace; and
- no alterations should be made to the plant, vehicles, or structures involved.



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The site may only be disturbed if:

- you need to remove an injured person;
- you need to remove a deceased person;
- you need to assist a person;
- it's essential to make the site safe or minimise the risk of someone else being hurt or killed;
- directed to do so by the Police; or
- permitted by WorkSafe or a WorkSafe inspector.

NOTIFY WORKSAFE

If a notifiable event occurs as a result of a production, including death, injury or illness:

- you must notify WorkSafe as soon as possible;
- the notification must be made even if emergency services attend; and
- only one notification is required for each notifiable incident.

As there are often multiple PCBUs involved with a production, one PCBU must be tasked to contact WorkSafe. All PCBUs are responsible for making sure that the notification is made.

KEEP RECORDS

PCBUs, officers and production companies must keep records of all notifiable events for at least five years from the date of the event.

Injury or illness investigation forms are a good way to help keep accurate records. This could be digitally or in hard copy, including sound/audio files on a mobile device.



YOU CAN FIND AN [INJURY OR ILLNESS INVESTIGATION FORM TEMPLATE HERE](#).

How do you notify WorkSafe?

You can notify WorkSafe by:

- Telephoning 0800 030 040
- Completing an [online notification form](#)
- [Downloading and completing the Notifiable Death, Injury or Illness Form](#) [PDF; 343 KB]

As you must notify WorkSafe using the fastest means available to you, consideration of the possibility of a notifiable event should be in a production's health and safety plan. Considerations include your location and communications available.



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Inter-agency requirements

New Zealand Film Commission

The New Zealand Film Commission (NZFC) has health and safety clauses in all Production Financing and Interparty Agreements.

To receive funding from NZFC you must abide by these clauses, which include:

- complying with the Health and Safety at Work Act 2015;
- holding a copy of, and following, ScreenSafe guidelines;
- ensuring subcontractors meet the above stipulations;
- ensuring the production health and safety policy is in all workers' contracts;
- producing a health and safety report detailing any incidents in the required progress report;
- providing NZFC a detailed hazard report prior to financial close, and if any new hazards are identified; and
- notifying NZFC within 24 hours of any health and safety incident on set.

Broadcasting Commission (NZ On Air)

All funding contracts with the Broadcasting Commission (NZ On Air) include health and safety clauses. For television funding production funding contracts, you must confirm that you will abide by these clauses, including:

- confirmation that you are aware of your obligations under the Health and Safety at Work Act 2015;
- confirmation that you will comply with the ScreenSafe guidelines;
- that all contracts relating to the production comply with the Health and Safety at Work Act 2015;
- consulting, cooperating and coordinating health and safety activities with all other persons in respect of the production;
- providing any information as reasonably requested by NZ On Air to demonstrate compliance with health and safety obligations;
- reporting to NZ On Air, within 24 hours of any health and safety incident;
- before principal photography, providing NZ On Air with a signed confirmation that you have completed your production's health and safety plans, and consulted, cooperated and coordinated with the Broadcaster (the Broadcaster also has to provide such confirmation to NZ On Air).

3. See footnote 2.



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Department of Conservation

A production for commercial purposes that is shooting on public conservation land must have a concession from the Department of Conservation (DOC). Information about what concession you will need and how to apply can be found [here](#).

The application form/s asks for health and safety related information, such as:

- if fire or pyrotechnics are being used, and how these will be created and managed; and
- will vehicles be used.

DOC has a Code of Practice ([Code of Practice: Filming on Public Conservation Lands](#)), which provides guidance on protecting conservation land during filming. This includes committing to sound health and safety practices, and ensuring film crew are committed to their own safety and the safety of those around them.

To find out more or if you require help with your filming concession, contact the [nearest DOC office](#).

Local government

To use council-owned property you must get approval from the relevant local or regional council. They may require specific material such as a safety plan or risk assessment. If the council is aware of additional risk/s related to the property, they may add these to your safety plan or risk assessment.

Many local governments have film-friendly policies and work within the guidelines set out in the Local Government Filming Protocol.

Any filming-related activity that changes, or is likely to change, the normal use of a road will need a temporary traffic management plan (TTMP) to be prepared by a suitably qualified person and approved by the relevant local road controlling authority. This is likely to be the local government body, unless it is a road governed by the New Zealand Transport Agency.

Contact details of regional offices can be found at www.rfo.nz/contact.php.

New Zealand Transport Agency

All motorways, state highways, overbridges, on-ramps and off-ramps are governed by the New Zealand Transport Agency (NZTA).

The subcontracted and licensed traffic management supplier, not the producer or film crew, should liaise with the NZTA – the NZTA will only liaise with a recognised/qualified traffic management company on any operational matters.



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Training

General training

All workers and PCBUs must be appropriately trained and competent to undertake their duties.

All PCBUs must ensure workers who work for them are trained and competent. This could include a suitable qualification.

If workers are hired who are not appropriately trained and competent, it is the PCBU's duty of care to train and ensure that they are competent. This may include on-the-job training in certain circumstances; this should not risk health and safety for them or others around them.

Things to think about include, does the worker require:

- basic training, teaching them how to undertake a task safely; or
- basic training, teaching them how to ensure the risk control is effective, including use of personal protective equipment?
- a specific certificate or qualification to operate the equipment or undertake the task; or
- supervision by a competent person, if they are new or don't have the required level of training?

Specific training on the health and safety policy

The production company must ensure that all workers, particularly those in senior roles, are provided with the necessary training and resources to implement the health and safety policy.

Training for health and safety representatives

If the production company (as the primary PCBU) engages a health and safety representative/s or a crew representative/s, they must be provided training so they are able to use the functions and powers under the Health and Safety at Work Act 2015. These powers include:

- requesting information from PCBUs about health and safety matters;
- inspecting the workplace;
- attending interviews;
- attending training;
- issuing a Provisional Improvement Notice (PIN); and
- directing workers to cease unsafe work.

To enact the PIN and cease work powers, the representative must have completed the initial or additional health and safety representative training specific in the Health and Safety at Work (Worker Engagement, Participation and Representation) Regulations 2016.

As the primary PCBU, and ultimate decision maker regarding health and safety representation, the production company must pay the training fees and reasonable costs associated with attending training.

You can find out more information on the WorkSafe website.



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Health and safety inductions

A good induction process will help workers settle in – whether they are completely new to the screen sector, or just new to your production.

Ensure that health and safety inductions are conducted for all members of the cast and crew working on a production, to ensure they are aware of the relevant protocols and responsibilities. Information could include:

- providing and/or discussing the health and safety policy;
- who is responsible for health and safety issues that may arise;
- the potential risks and controls in place;
- reporting and notifying processes;
- any evacuation plans; and
- what to do in an emergency.

You should also provide all workers any safety equipment required for the job and ensure they are trained to use it correctly.



YOU CAN FIND A TEMPLATE TO HELP YOU WITH YOUR [HEALTH AND SAFETY INDUCTIONS HERE](#).

REFERENCES

WorkSafe NZ [website] 2016

WorkSafe NZ. [What is a notifiable event?](#) [website] 2016

WorkSafe NZ and the Institute of Directors. 2016. [A guide for small to medium business owners and company directors](#)