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Concessionaire Safety Audit Requirements

The Department of Conservation (DOC) requires concessionaires undertaking activities with clients on public conservation land to have an audited safety plan. The DOC website includes an up-to-date list of organisations that are recognised to provide these audits.

This document describes the context and criteria for these safety audits, and an application form for organisations wishing to provide them.

If you are an organisation that wishes to provide safety audit services for concessionaires, then please:

1. Read this entire document,
2. Complete the form on page 4 to confirm you have read and understood the criteria, and declare that you meet all the criteria.
3. Attach relevant supporting evidence.
4. Send the application to Adrian Gilby, National Permissions Advisor at DOC (agilby@doc.govt.nz).
5. Allow four to six weeks for processing.

DOC will advise applicants in writing of the outcome.

# Safety audit requirements context

New Zealand’s adventure activity sector is world-renowned and is an important contributor to our economy and our national identity. It is imperative that New Zealanders and visitors alike can be assured that tourism operators have sound safety practices.

## Department of Conservation’s role

As a land manager DOC has a general duty of care for those who use public conservation land (pcl). This includes duties under the Health and Safety at Work Act 2015 as a “person conducting a business or undertaking” ([PCBU](http://www.business.govt.nz/worksafe/hswa/mythbusting/business)).

DOC has always maintained that it is not a safety expert and must rely on the expertise of safety experts to oversee how concessionaires manage safety in their operations.

Therefore, DOC requires all approved concessionaires undertaking recreational/tourism type activities to have a current safety plan, that has been audited to an independent, industry standard by a credible auditor.

## **Adventure Activities Regulations**

The Health and Safety in Employment (Adventure Activities) Regulations (2016) identified types of activities – [adventure activities](http://www.business.govt.nz/worksafe/about/what-we-do/adventure-activities) – that are subject to a specific safety-related regime. This includes undergoing a safety audit by an auditor who is accredited by a specialist body using ISO auditing standards and a specific Certification Scheme.

These regulations apply to a number of activities undertaken by concessionaires on pcl, therefore DOC automatically recognises the safety audits carried out under the regulations. However as there some activities that do not meet the “adventure activity” criteria, DOC needs another acceptable safety audit pathway for these operators (non-AA operators).

## **Consultation and Policy**

Consultation with stakeholders including industry representatives established a consensus that safety audits of non-AA operators should be:

* proportional to the risk presented by the activities,
* suitably accessible to operators, and
* carried out by reputable audit providers.

These criteria were designed to reflect that non-AA activities frequently involve lower levels of risk but that DOC still requires a robust and credible assurance in order to meet its duties.

Therefore, DOC will only accept audits from audit providing organisations who meet the set criteria.

**JASANZ Accreditation recognised**
DOC acknowledges that organisations accredited by JASANZ to the NZ Adventure Activities Certification Scheme have already demonstrated that they meet these criteria.

# Criteria for Audit Providing Organisations

In order to recognised by DOC as an “Audit Providing Organisation”, an applicant must:

1. Establish, document, implement and maintain processes that will enable the organisation to provide safety audits for concessionaires undertaking activities on public conservation land that do not meet the criteria for Adventure Activity Regs activities.
2. Have the capacity to:
3. provide at least 3 yearly audits;
4. undertake site visits;
5. receive annual declarations; and
6. take action in a timely manner if an SMS review is triggered e.g. due to a DOC request or the annual declaration identifying relevant change in risk.
7. Hold appropriate indemnity insurance (or individual Auditors must have indemnity insurance).
8. Provide guidelines for its own auditors, audit quality review and at least annual auditor moderation.
9. Systematically assess the level of risk of the activity and adjust the amount of audit effort in proportion to that risk. The minimum requirement is a document audit however depending on the level of risk the auditor may require a site visit. (Note: document audits should include discussions with the operator)
10. Provide audits that specifically address safety and ensures that the audited organisation has in place a Safety Management System (SMS) that meets the requirements of the HSWAct 2015 and specifically covers:
11. safety policy and top leadership responsibilities;
12. risk management processes;
13. staff competence and engagement;
14. incident reporting and recording processes;
15. emergency response plans; and
16. continual improvement.

Note: The SMS does not have to be a stand-alone document; it may be part of the organisations broader business plan. There does need to be a specific Safety Policy.

1. Ensure consistent auditing against the requirements of a relevant, recognised audit standard such as ISO 21101, ISO 45001, AS/NZS 4801, or equivalent. This will include:
2. providing guidelines for auditors, audit quality review and at least annual auditor moderation.
3. ensuring auditors are competent in line with independent good practice guidance such as: section 3 of the NZ Adventure Activities Certification Scheme (NZAACS); or ISO 17021, Qualmark or a similar relevant audit framework.
4. ensuring an element of on-site audit activity if the auditor does not meet the NZAACS competencies
5. implementing a Code of Conduct equivalent to the [New Zealand Adventure Activities Certification Scheme v1.18, Appendix A: Auditors Code of Conduct](http://www.business.govt.nz/worksafe/about/what-we-do/adventure-activities/images-files-documents/new-zealand-adventure-activities-certification-scheme-803-kb-pdf)
6. Provide audits valid for a maximum of 3 years which, depending on the level of risk, may include an annual declaration of the same type as [New Zealand Adventure Activities Certification Scheme v1.18, Appendix D: Declaration of Conformity](http://www.business.govt.nz/worksafe/about/what-we-do/adventure-activities/images-files-documents/new-zealand-adventure-activities-certification-scheme-803-kb-pdf).

Note: DOC acknowledges that all organisations recognised by WorkSafe as adventure activity audit providers meet these criteria.

# Audit Providing Organisation application form

Please read the instructions on Page 1 and send this form to Adrian Gilby at DOC, agilby@doc.govt.nz.

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| Organisation: | Legal Name:Trading Name: |
| Contact person name: |  |
| Contact details: | Email:Post:Landline:Mobile: |
| Please tick | I have read and understand all the criteria to be an Audit Providing Organisation, and declare that my organisation, (insert name of your organisation) meets all the criteria, and will continue to meet all the criteria while it carries out audits of safety plans for activities undertaken by concessionaires on public conservation land and waters managed by DOC. |
|  | I have attached the following evidence to demonstrate how the organisation meets the criteria:* Eg. JASANZ Certificate of Accreditation to NZAACS
* Examples of the systems and processes that demonstrate each of the criteria
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| Signature |  |
| Date |  |