

COVID-19 Risk Assessment Review

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December 2021

DRAFT



Background

- ▶ Selwyn District Council (SDC) has asked Planit Works Ltd to undertake a high-level review of their risk assessment approach to mandating Covid-19 Vaccination. The review was completed by Frank McCutcheon and followed the risk management process described in ISO 31000.
- ▶ The review does not include a detailed analysis of each individual risk assessment.
- ▶ The health and safety related risk assessment seeks to understand whether unvaccinated workers genuinely create a health and safety risk that SDC cannot reasonably accommodate.
- ▶ The health and safety risk includes:
- ▶ The likelihood of being exposed whilst performing tasks (other workers, visitors and clients) ▶ The potential consequences of that exposure
- ▶ Under the Health and Safety at Work Act 2015, (HSWA), SDC can require that when there is high risk of contracting and transmitting COVID-19 to others and that risk cannot be managed to an acceptable level using existing controls, that work can only be done by vaccinated workers. SDC cannot arbitrarily require vaccination for all its existing employees.
- ▶ Worksafe NZ and MBIE (currently in DRAFT) have provided risk assessment tools to aid in this determination, both tools are currently in use in NZ. Both are qualitative in nature.
- ▶ SDC is **not** covered by the COVID-19 Public Response Order 2021. Under this Order the Government has mandated work be done by vaccinated people in specific sectors or business types.

Background

Worksafe NZ	Risk Factors
Question	Risk assessment
How many people does the employee carrying out that work come into contact with?	Very few = lower risk; many = higher risk
How easy will it be to identify the people who the employee comes into contact with?	Easy to identify, such as co-workers = lower risk; difficult to identify, such as unknown members of public = higher risk
How close is the employee carrying out the tasks in proximity to other people?	2 metres or more in an outdoor space = lower risk; close physical contact in an indoor environment = higher risk
How long does the work require the employee to be in that proximity to other people?	Brief contact = lower risk; lengthy contact = higher risk
Does the work involve regular interaction with people considered at higher risk of severe illness from COVID-19, such as people with underlying health conditions?	Little to none = lower risk; whole time = higher risk
What is the risk of COVID-19 infection and transmission in the work environment when compared to the risk outside work?	Equal to outside work = lower risk; higher than outside work = higher risk

Will the work continue to involve regular interaction with unknown people if the region is at a higher alert level?	No = lower risk; yes = higher risk
If your risk ratings tend toward higher risk and you are not able to reduce that risk by implementing more controls, you and your employees should consider whether the work should be performed by a vaccinated employee.	

Background

MBIE (DRAFT)	Risk Factors	
Question	Lower Risk	Higher Risk
What type of environment does the worker work with?	100m2 indoor space or greater, or outside	Less than 100m2 indoor space
How close does the person work to other people?	At least 1 metre apart	Less than 1 metre apart
How long is the worker in proximity to other people?	15 minutes or less	More than 15 minutes
Does the worker provide services to people who are vulnerable to COVID-19?	No	Yes
At least three of the higher-risk indicators for these factors will need to be met before it would be reasonable to require vaccination for particular work.		

Assumptions

- ▶ COVID-19 is endemic in NZ.
- ▶ The opening of borders on the 15th December 2021 will accelerate the community transmission of COVID-19 across NZ.
- ▶ The workplace environment at SDC sites has been deemed as presenting a significant risk of Covid-19 transmission due to a combination of the enclosed nature of areas, limited ventilation (air change) opportunities, limited ability to socially distance, exposure to significant numbers of other people (particularly customer facing roles), the use of shared work areas and communal facilities such as bathrooms/kitchens.
- ▶ SDC has a good understanding of the vaccination status of its employees and therefore has a good understanding of the level of risk posed by those not vaccinated.
- ▶ The requirement to present My Vaccine Passes at certain SDC facilities has been factored into the risk assessment.
- ▶ Engagement and consultation have formed a critical part of this process.

Findings

- ▶ Very comprehensive review by defined role – 300 roles assessed.
- ▶ Risk assessment process broadly follows the advice from Worksafe NZ.
- ▶ The use of a risk score (a number) is additional to the “lower” versus “higher” assessment proposed by Worksafe NZ.
- ▶ The purpose of the gross risk score lacks context – it is not clear what the score represents – what does 29.5 mean in the context of the risk assessment.
- ▶ Risk tolerance is not described (level of acceptable (current) risk prior to mandating vaccinations).
- ▶ The gross score – the sum of all scores - high (5), medium (3), low (1) is the inherent or uncontrolled risk score. There is considerable variation to this assessment across the roles i.e. scores of 3.5, 2 are often used. This adds to the already subjective nature of the risk assessment.

Findings - continued

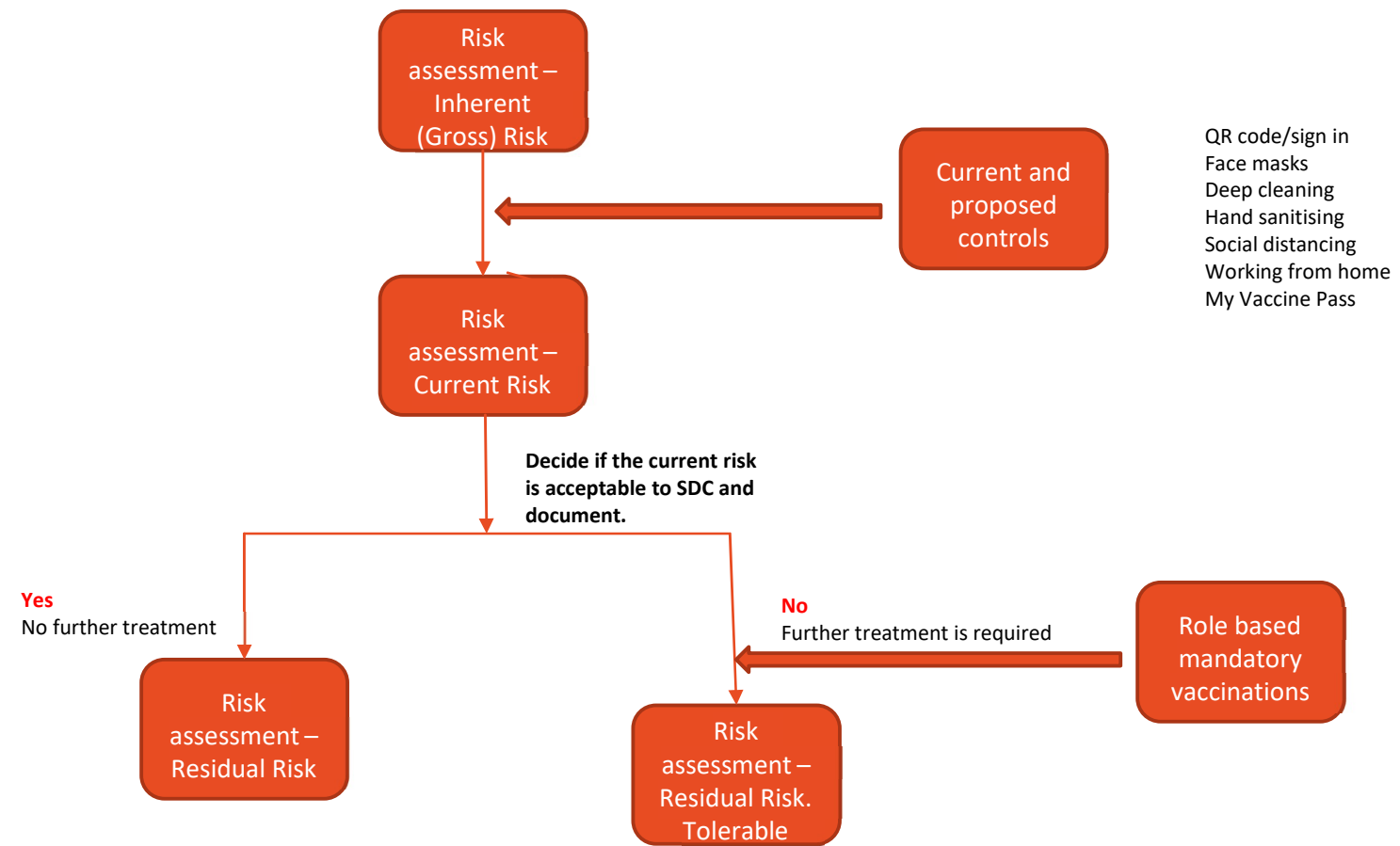
- ▶ The risk assessments do not include an assessment of the **current** risk – all existing controls plus possible controls.
- ▶ Risk tolerance at the **current** risk level is not described. Is the level of risk after existing and possible controls are in place acceptable to SDC or not?
- ▶ The HSW Act requires risks to be managed so far as is reasonably practicable which considers the current state of knowledge with regards to the hazard and ways in which the risks can be controlled. Research has clearly demonstrated the effectiveness of the vaccine in reducing likelihood of contracting or transmitting the virus and dramatically reduces the likelihood of serious illness or death.
- ▶ Some roles (i.e., where the **gross** risk score is less than 12) suggests that from a risk perspective, mandatory vaccinations may not be required across all roles.

Recommendations

- ▶ Use the SDC Enterprise Risk Framework to establish your COVID-19 exposure risk tolerance level – level of acceptable risk.
- ▶ Use the existing risk score approach (high, medium, low converted to a score - minus the added subjectivity) to calculate **current risk** score (all existing plus possible controls not including mandatory vaccinations).
- ▶ Assess if the **current risk** is acceptable i.e., it meets the COVID-19 exposure risk tolerance level.
- ▶ If not, then add in the additional control of mandatory vaccinations and reassess.
- ▶ Determine if the **residual risk** is at an acceptable level **to SDC** and document.

Recommendations - continued

- ▶ Risk:
- ▶ The likelihood of being exposed whilst performing tasks (other workers, visitors and clients)
- ▶ The potential consequences of that exposure



Recommendations - continued

- ▶ Refresh the SDC risk assessment based on the use of My Vaccine pass requirements (an additional control) at specific SDC facilities.
- ▶ Given the likely criticality of some staff, another consideration would be the impact on operations if they decline to get vaccinated, resulting in them being unable to continue in their role due to their risk of transmitting the virus. This may need further analysis if numbers suggested that this could be an operational issue. Such issues will be best managed on a case-by-case basis.
- ▶ Maintain a watching brief over the next 2-3 months to confirm levels of risk tolerance and to assess if additional controls (i.e., **Rapid Antigen Testing**) are required.
- ▶ Ensure engagement and consultation remains a critical element of this process.

Updated Risk Assessments

09 December 2021

- ▶ Use of the SDC Enterprise Risk Framework to establish your COVID-19 exposure risk has reduced a lot of the inconsistencies.
- ▶ You have done very well balancing the highly subjective nature of the Worksafe NZ approach with your HS risk assessment standard.
- ▶ Current risk scores (with existing controls) have been calculated and aligned with the Enterprise risk matrix – Extreme, Significant, Moderate and Low
- ▶ There is considerable variation in the calculated current risk scores. Within the documents provided, they range from risk score 11- risk score 39. Low – Extreme.

- ▶ Current risk levels calculated as Low and possibly Moderate, would be unlikely to meet the mandated vaccination risk assessment threshold as set by Worksafe NZ (trending towards higher and unable to be reduced by additional controls).

Updated Risk Assessments

09 December 2021

The health and safety risk assessment is designed to answer the following:
Does the role require a vaccinated Person?

Suggested Summary Table:

Role	Customer Facing Yes/No	Risk Assessment with existing controls. Extreme, Significant, Moderate, Low	Controls are effective in preventing infection and transmission Yes/No	Rapid Antigen Testing Proposed Yes/No	Risk assessment after additional controls - Vaccinations	Does the role require a vaccinated person? Yes/No	Assessment confirmed via consultation Date	Assessment Approved by ELT Date