18 August 2022 v1

NZUAG/CCNZ Strike Reductions Working Group

Consultation Summary Report, including recommendations for Code Review

August 2022

Centre for Vision and Leadership

Contents

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Introduction

New Zealand Utilities Advisory Group (NZUAG) and Civil Contractors New Zealand (CCNZ) recently partnered to lead a Code Review process, together with the Centre for Vision and Leadership (CVL), who facilitated a series of key stakeholder conversations.

The Code is the regulatory vehicle used by Utilities and Road Controlling Authorities (RCA) (and Rail Corridor Manager) to set out the processes and procedures for working in the Road and Rail Corridors. While many other parties work in these Corridors, the Code has become a reference or standard for Councils and Utilities even if the other party is not bound by it or if the works have taken place outside these Corridors on private land. The Code has many parts or references to reduce service strikes, yet the industry still sees significant strikes reported each year.

The triennial Code Review begins in late July 2022 . Although it already provides an avenue for the industry to submit changes, based on previous Code Reviews, there is a belief that a coordinated industry submission would have the best chance of success in making changes to the Code that will have a beneficial outcome of reducing service strike harm. As such, the objectives for this programme of work were to:

- Support NZUAG to lead a whole-of-industry conversation on strike reductions, resulting in a set of recommendations for proposed changes to the NZUAG National Code – including the facilitation of government, sector and company level input
- Engage key stakeholders to get quickly to the core of issues by understanding ‘on the ground’ experience, and to harness their engagement in creating targeted focus areas for consideration in the Code Review
- To enable relationship building within the industry to improve communication channels and support increased collaboration

This document outlines the process, key findings and recommendations as a result of this work. We hope it serves as a useful overview of key themes discussed, for both consideration in the Code review and to target efforts for phase two (implementation of the revised Code).

Executive Summary

Ahead of the first workshop held in May 2022, those participating in this working group and a broader audience were invited to complete a survey to help identify key themes for review in the consultation process. A high-level overview of the key results from the survey found:

- 56 responses from 27 organisations and over 800 years of experience
- 78% believe the level of service strikes has stayed the same or increased over the last 5 years
- 92% scored reducing service strikes as important/very important to their organisation
- Utility Operators (40%) and Lead Contractors (40%) were identified as key influencers in reducing service strikes.

These insights were helpful in the set-up of the working group sessions where the following three key priority areas were identified:

Priority 1: Increase transparency and access to data

Priority 2: Introduction of minimum location standards

Priority 3: Provide greater clarity on roles and responsibilities

Considerations for updates to the Code (Phase 1)

Consider all recommendations and insights in this report in review of the Code, in particular:

- Increase transparency and access to data
- Introduction of minimum location standards
- Provide greater clarity on roles and responsibilities

- Provide clearer clarification of what defines a Service Strike (so that reporting is more accurate)
- Set an aspirational target that can unite the industry
- Develop best-practice guidelines (2-page stand-alone resource guides) to highlight important details from the revised Code
- Liaise with Worksafe to ensure alignment to Code and make specific reference to H&S At Work Act
- Update the ‘Safe Digging’ document (currently available on NZUAG website) to reflect current methodologies e.g HydroVac
- Where possible, reduce copy and create clear, consistent, plain English descriptions in the Code that are easy to read, understand and implement in practice

Executive Summary cont…

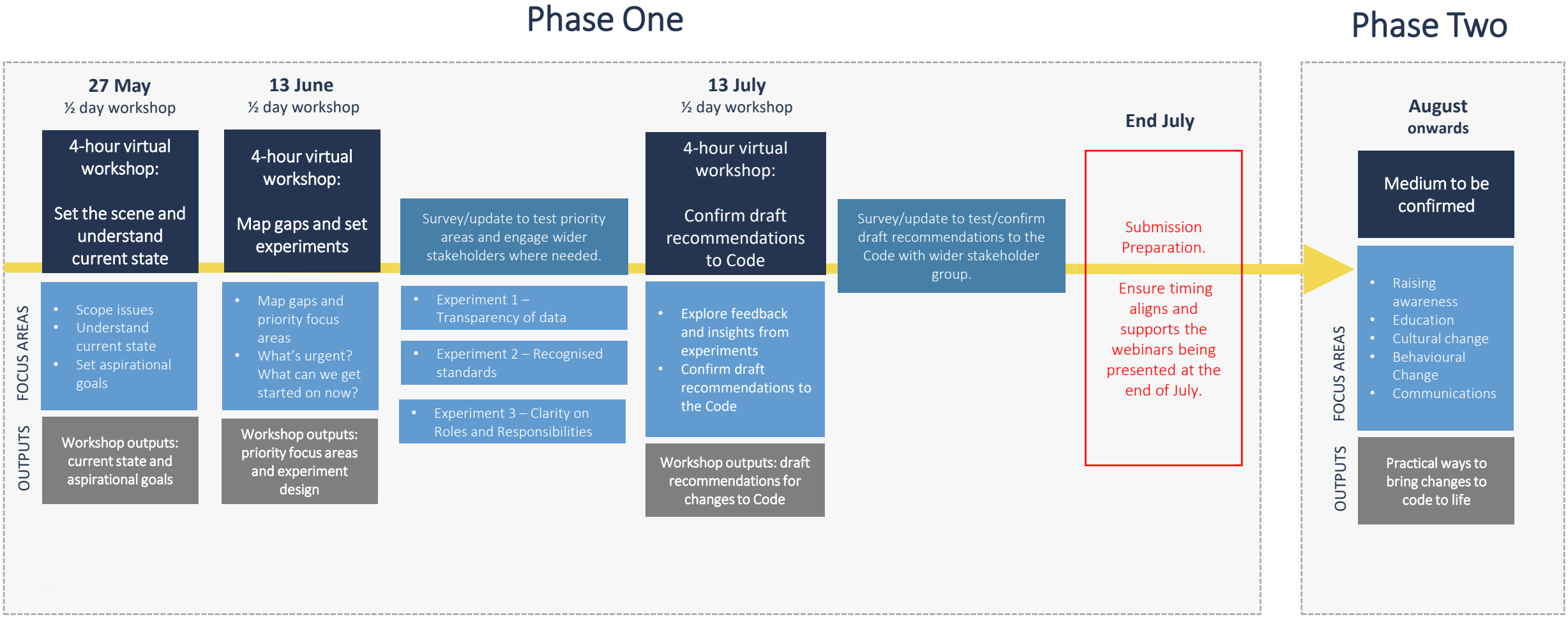
Considerations for updates to the Code (Phase 2)

- It was also acknowledged that for any changes to be successful in the implementation of an updated National Code of Practice for Utilities Access to Transport Corridors (the Code), significant behavioural and cultural change would need to take place.
- It was agreed that a Phase Two programme of work would focus on how to bring the Code to life, including behavioural change within the industry. This second phase will include a heavy focus on raising awareness, education, cultural change and communication.

- Continue working closely with this Working Group in progressing actions and scoping Phase Two.
- Explore further platforms available for data collection to understand what's available, what's required and how it works
- Provide guidance for procedural outcomes, eg strike reporting, owner and process
- NZUAG to play a role in leading and co-ordinating industry-wide agreement on standards
- Increase awareness and education of the Code as knowledge across actors and stakeholders is variable. e.g education workshops run by NZUAG, inviting speakers to CCNZ events etc
- Explore the addition of service strikes becoming a notifiable incident through Worksafe
- Distribute current guidelines more widely e.g NZUAG handbook for contractors
- Ongoing development of guidelines or notes to help people apply the Code, eg outline of who's responsible for what

Approach and Methodology

A series of facilitated workshops were designed to engage 18 stakeholders from across the industry, beginning late May and concluding mid July (Phase One). Phase Two is outside of the initial scope given its focus on implementing any changes or recommendations made to the Code.



Survey Insights

56
Responses

27
Organisations

806+
Years of experience

Area that you believe has the potential highest impact on reducing service strikes:

What is your view on the state of service strikes over the past 5 years?

22%
Decreasing

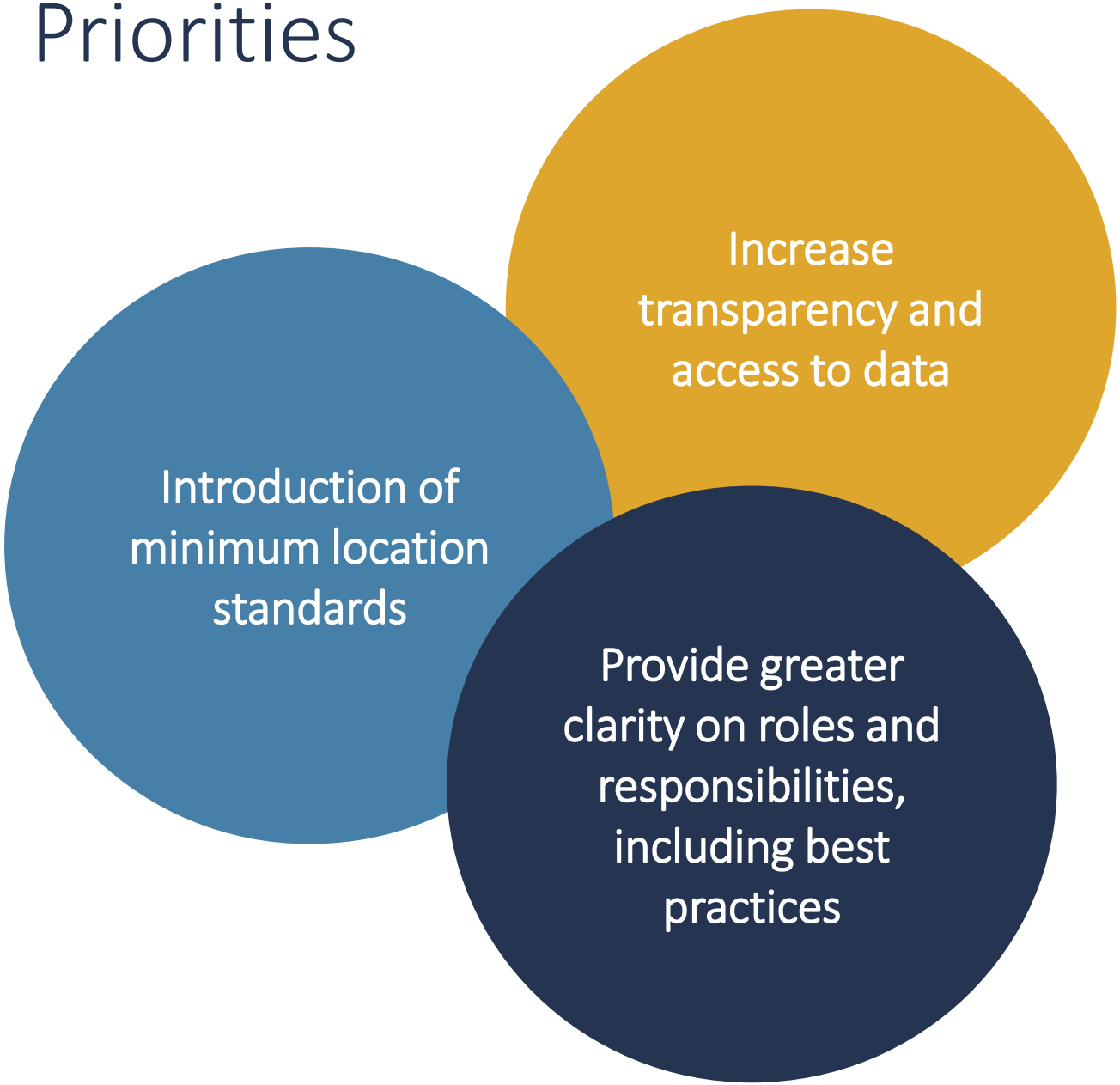
48%
Staying the same

30%
Increasing

Which part(s) of the industry do you think has the most influence on changing service strike rates?

Lead Contractor	39%
Utility Operator	38%
Road Controlling Authority	22%
Sub-Contractor	19%
Other*	2%

Priorities



The working group identified three key priority areas as essential for consideration in review of the Code, and ranked them in the following order of priority:

1. Increase transparency and access to asset data
2. Introduction of minimum location standards
3. Clarity of roles and responsibilities, including best practices

The working group then self-selected an area to focus on and worked in smaller working cohorts to experiment with ideas for improvement in each of these areas.

Priority Area 1: Increase Transparency and Access to Data

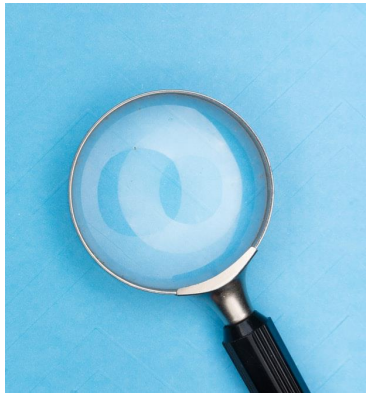
The areas highlighted for this priority included:

- More detailed network information and plans
- Accuracy of recording service strikes into a centralised easily accessible database
- Using technology to make data available
- Considering how we can work as a group to get all network quality data from D to A over a set period of time

Here's what you told us 'good' looks like:

- All data centrally located and available so everyone involved has all the data they need to complete the job safely
- Standardised method of collecting data
- Go back over legacy data and re-record
- Data maintained and kept up to date
- Standardised and readily available method of reporting strikes that provides useful information for prevention
- Standardised mapping file across all industries

"All data needs to be centrally located and available so everyone involved has all the data they need to complete the job safely."



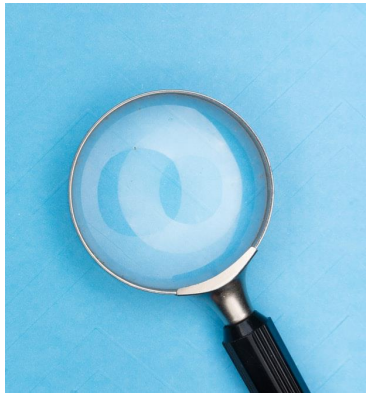
Current state:

- Data is across multiple platforms and at times is not available or is conflicting
- Information being collected is not going to a cohesive place
- Data is loosely recorded
- Asset owners report strikes
- Cost of investigation can be costly – for some conducting a risk matrix, it's easier to operate 'blindly' in terms of financial costs

What obstacles get in the way?

- Time pressures for people on the ground to accurately complete - No incentive to act safely
- Variability in skills with using technology to create or upload data
- Technology has a cost attached, including the training of people to use- not viable for all
- Ability to influence people on the ground can be variable eg some are sub contractors
- No required timeframe for providing Asbuilt for integration into centralised locations
- Utilities appear to have little interest in the data
- There is a culture where some may not think data is useful as they have their own QA/Asbuilt information.

"We need a standardised and readily available method of reporting strikes that provides useful information for prevention."



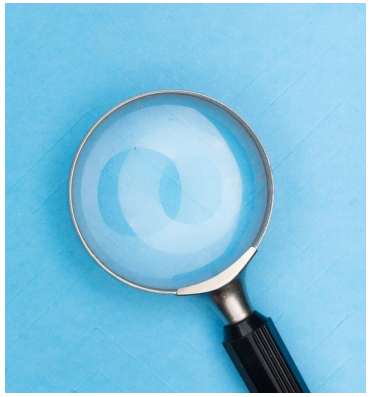
Overview of experiment: Use an existing system or platform for data collection to explore:

- Barriers and obstacles to implementing
- Understand the overall need of what's required in the field
- Use a live site to test data
- Interview key actors of SMEs to understand benefits or obstacles

"How can we work as a group to get all network quality data from D to A over a set period of time?"

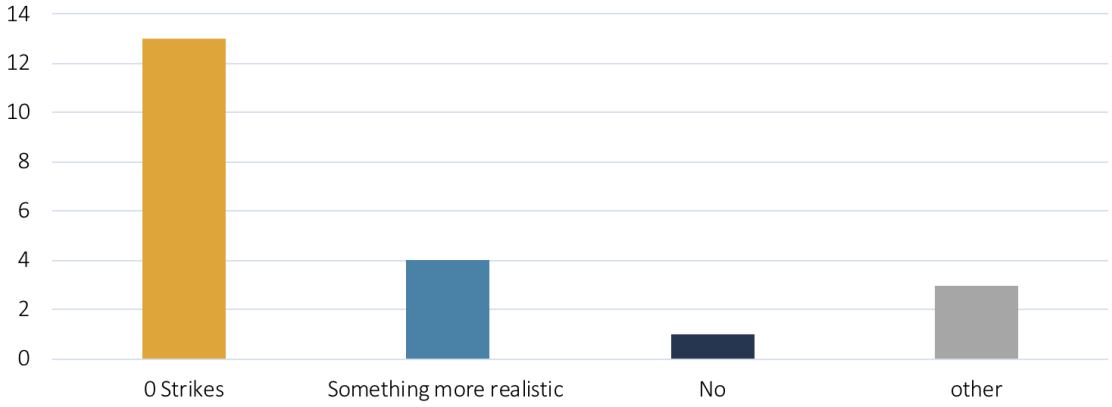
Key learnings and insights:

- Data standards need to be set up earlier and understood well before implementing a platform. NZUAG could play a role in co-ordinating agreement on standards.
- Need to understand the platform – it's needs, what data it requires and how it works
- Test ease of use, what might work well in the back office might not work as well with survey tools onsite
- In interviewing actors it reinforced a deep mistrust of service plans and locators. People trust Spotters who are experienced crew.
- Any third party platform needs to go hand-in-hand with the existing site protocols
- Clarification of what is meant by a service strike would be helpful moving forward e.g. live or redundant?

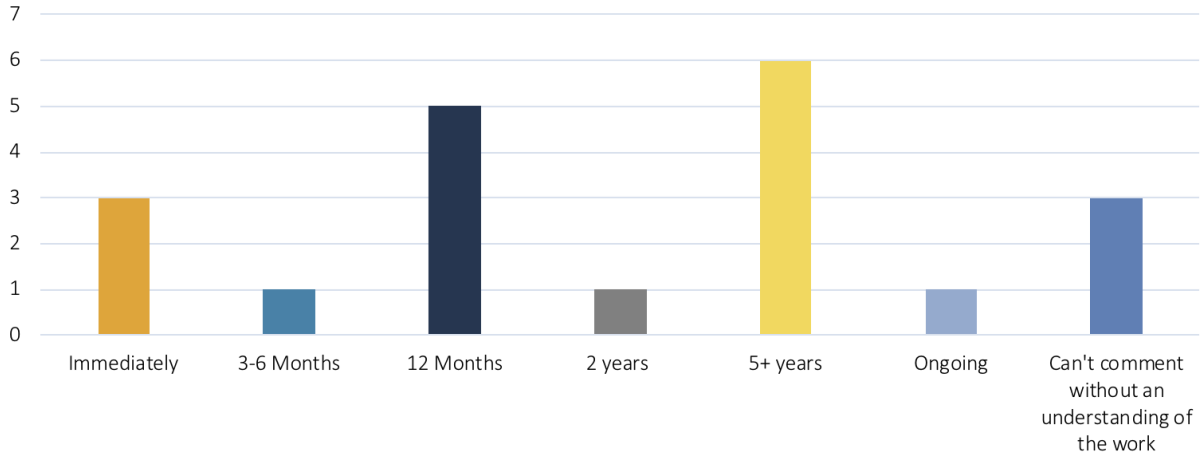


Additional Insights: Data and Reporting

Data and Reporting Targets: Do you believe the aspirational goal for Service Strikes should be 0 Strikes, 0 Tolerance, Other?



Data and Reporting Targets: What do you think would be an appropriate timeframe for whatever target is agreed upon?



Data and Reporting: Do you think it would be more useful if the damage doer reported strikes?

85%

Yes

15%

No

Based on 21 survey responses

Priority Area 2: Introduction of Minimum Location Standards

The areas highlighted for this priority included:

- More detailed network information and plans
- Standards
- What does best practice look like?
- Training and development processes
- Robust safety design upfront

Here's what you told us 'good' looks like:

- A standard that everybody – business or operator will actually use, follow and understand
- Data at a level/ standard that allows you to find assets
- Everyone trained and competent
- Common language

"We need a standard that everybody – business or operator – will actually use, follow and understand."

Current state:

- Lead contractor holds the risk
- Variety of different attitudes regardless of the standard
- Procurement process - no provisional items for services to be reported
- Hard to find someone to own the decisions
- People just expect strikes

What obstacles get in the way?

- Utility owners – needing to adapt to change, keeping records
- Willingness to change, including culture and maturity of the industry
- Onus on those who want to use it
- Procurement models – drive lower costs
- People just expect (and accept) strikes
- Expectations and knowledge varies widely across the country
- Little to no penalties for service strikes e.g hitting water mains

“This is about having robust safety design upfront.”

Overview of experiment: Tapping into existing networks and a review of the code to explore…

- If the process is working on the ground
- Are work and contractors aligned to the code in regards to chain of events
- Review the code from a locator perspective
- Understanding the role of NZ UAG in managing this process

Key learnings and insights:

- Ownership of the responsibility at different levels. It appeared that Utility owner seems to transfer or ignore their responsibilities “wash their hands of liability”. Need to set clearer expectations of what ownership means, duty of care and what’s expected from each party.
- Knowledge about the code is limited, and varies from company to company. Some people weren’t sure if the code applied to them.
- Lack of understanding of the code and what guidelines are currently available
- Need for further guidelines and best practice
- NZ UAG refers to a document of safe digging, this needs updating to take into account new methodologies and technology, e.g HydroVac, AirVac
- There is a cost to locating, could this be part of the upfront design process?

“Training and development processes need to support this work.”

Additional Insights: Minimum Standards

Are you aware of the Utility Location Standard for consultation by LINZ?

52% Yes

47% No

Location of Services Do you think the Code should adopt this standard for new installation?

85% Yes

15% No

Location of Services Do you think the Code should insist that all networks should be brought up to this standard in urban environments within a specific timeframe?

70% Yes

30% No

Based on 21 survey responses

Priority Area 3:
Provide greater clarity on roles and responsibilities

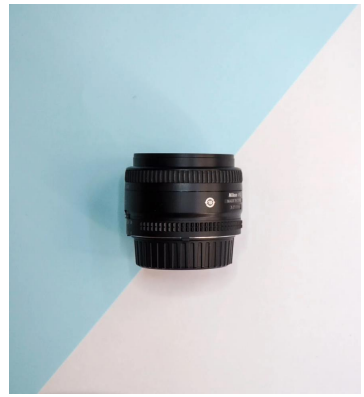
The areas highlighted for this priority included:

- Getting clear on roles and responsibilities
- How do we get to the stage where we understand who is responsible for what
- What does best practice look like for each actor/player/stakeholder
- How do we support everyone to be doing the right thing on site, to set them up for success

Here's what you told us 'good' looks like:

- Asset owners taking full responsibility and accountability for their assets
- Sharing their data in an effective data exchange platform across NZ

"How do we get to the stage of where we understand who is responsible for what?"



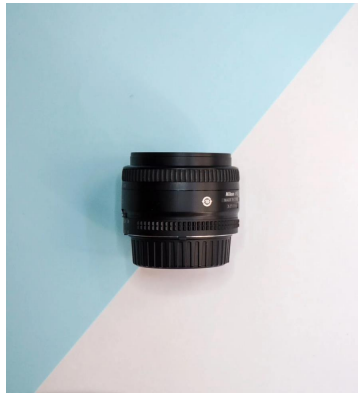
Current state:

- Lack of clarity on who is responsible for what
- Asset owners don’t know what they don’t know
- Who is the author of the Code, lack of RASCI
- Often feels like the responsibility sits with the contractor (the one doing the digging)
- Lack of data exchange platform in NZ, information not clearly shared, data sits in silo, data exists but stuck in non-disclosure agreements

What obstacles get in the way?

- Money and funding
- Resource and experience
- Need to create a broader list and full matrix of stakeholders
- Separating out TMPs with Corridor management, greater resource on corridor management function and adhering to the code
- How do you keep a network open, functioning and efficient while taking time to get work done safely (tension between access to network vs time to do the job safely)

“What does best practice look like for each actor/player/stakeholder?”



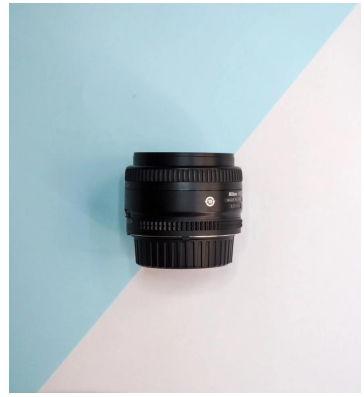
Overview of experiment: Tapping into existing networks – both informally and formally (via a survey) to explore:

- Does your work require use of the Code? How often do you use the Code? Have you been on any training to help you understand the Code?
- What's stopping you from carrying out the requirements of the code? Do you know what the requirements of the Code are? What could make things easier for you?

Key learnings and insights:

- Contractors appear to understand their responsibilities in the code. However there is a role for CCNZ or other industry bodies (eg NZUAG) to educate contractors. Reference made to the guide for contractors (NZUAG handbook) that many were unaware of, how do we communicate more widely?
- The Code is drafted from the perspective of corridor managers, making it more difficult for Contractors to interpret the code and fully understand how their responsibilities under the H&S at Work Act are covered in the Code.
- RCM's play a key role in the reasonable issuing of permits, the ability to manage access to the corridor and address non-compliant activities.
- Currently Worksafe do not deem service strikes as a notifiable incident, could a change in this result in changes in behaviours?
- Could this be outlined as part of the tendering process, included under societal impact?

"How do we support everyone to be doing the right thing on site, to set them up for success?"



Additional Insights: Roles and Responsibilities

Roles and Responsibilities
Is it clear who is responsible for what?

47%

Yes

52%

No

Roles and Responsibilities Do you think providing best practice guidelines about this would be helpful: i.e. highlighting the role each party should play in typical work scenarios?

90%

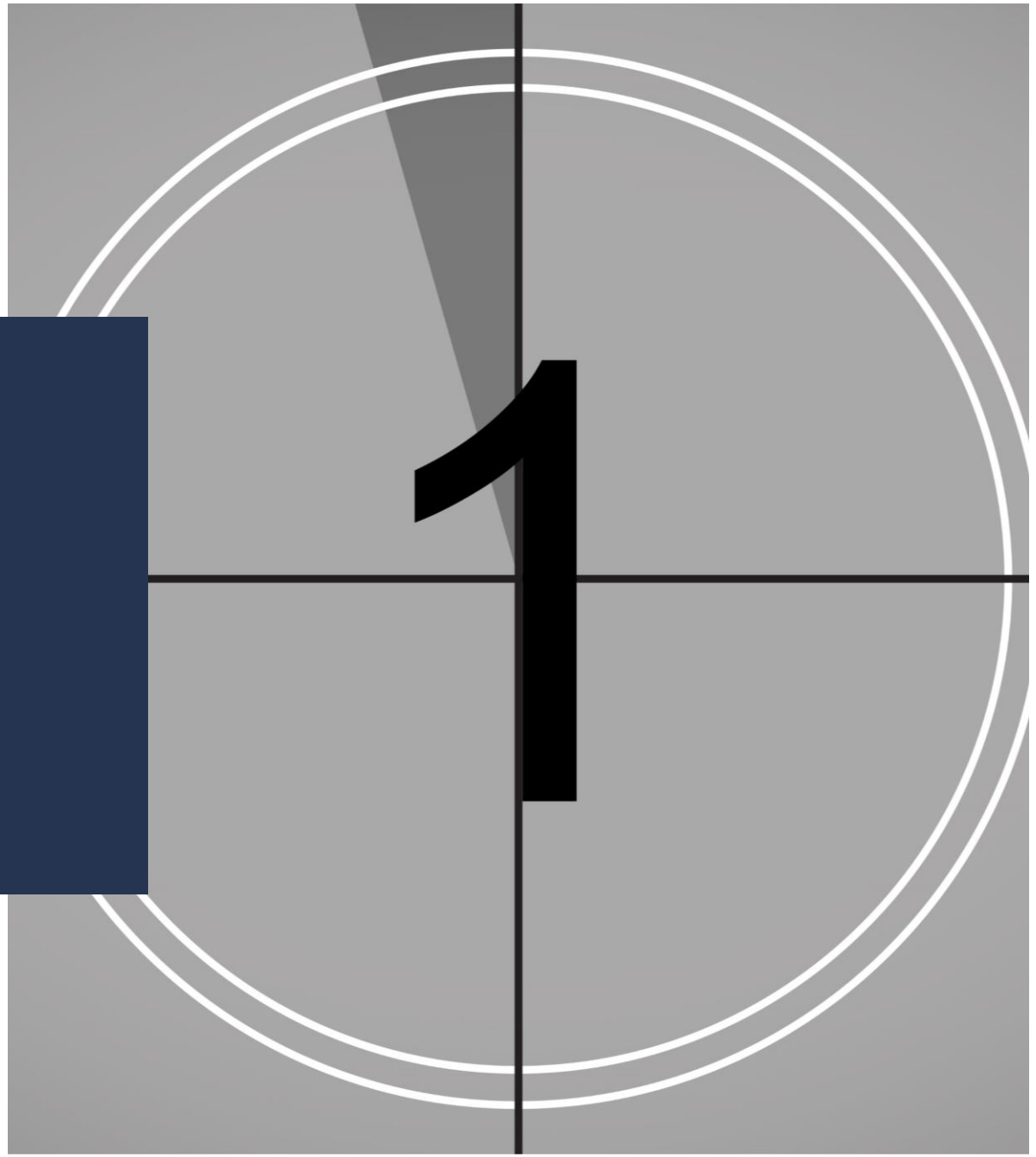
Yes

10%

No

Based on 21 survey responses

Summary



Overview of process

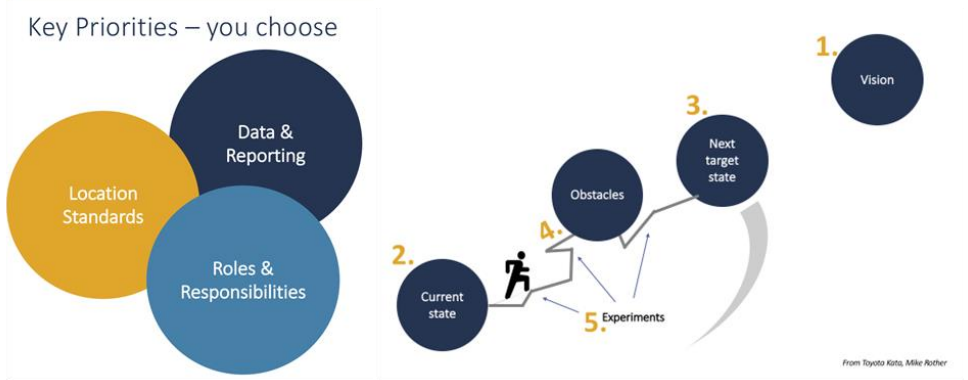
1. Goals/Objectives (Phase 1)

- ✓ NZUAG to lead a whole-of-industry discussion on strike reductions
- ✓ Harness insights to create a set of recommendations for proposed changes to the National Code
- ✓ Build relationships in the industry and increase communications
- ✓ Develop and Implementation Plan to bring changes to the Code to life – support behavioural change (Phase 2)

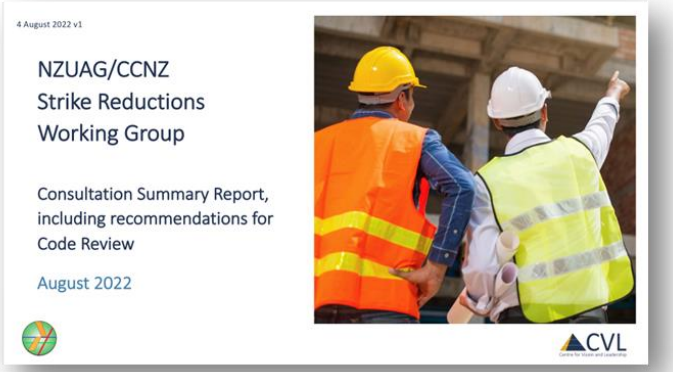
2. Current State

- ✓ Initial survey issued to capture current state (56 responses)
- ✓ Sense-check data and further discussions to ensure a full picture

3. Options + Experimentation



4. Way forward/Action Plan (+ Phase 2)



Considerations for updates to the Code (Phase One)

- Consider all recommendations and insights in this report in review of the Code, in particular:
    - Priority 1: Increase transparency and access to data
    - Priority 2: Introduction of minimum location standards
    - Priority 3: Provide greater clarity on roles and responsibilities
- Provide clearer clarification of what defines a Service Strike (so that reporting is more accurate)
- Set an aspirational target that can unite the industry
- Develop best-practice guidelines (2-page stand-alone resource guides) to highlight important details from the revised Code
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- Where possible, reduce copy and create clear, consistent, plain English descriptions in the Code that are easy to read, understand and implement in practice

Considerations for implementation (Phase Two)

- Continue working closely with this Working Group in progressing actions and scoping Phase Two.
- NZUAG to play a role in leading and co-ordinating industry-wide agreement on standards
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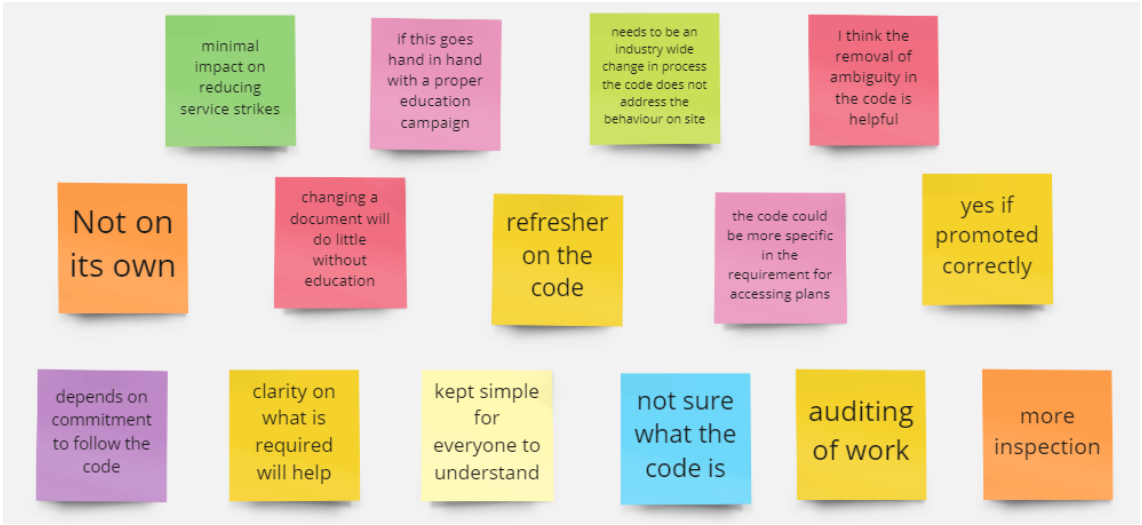
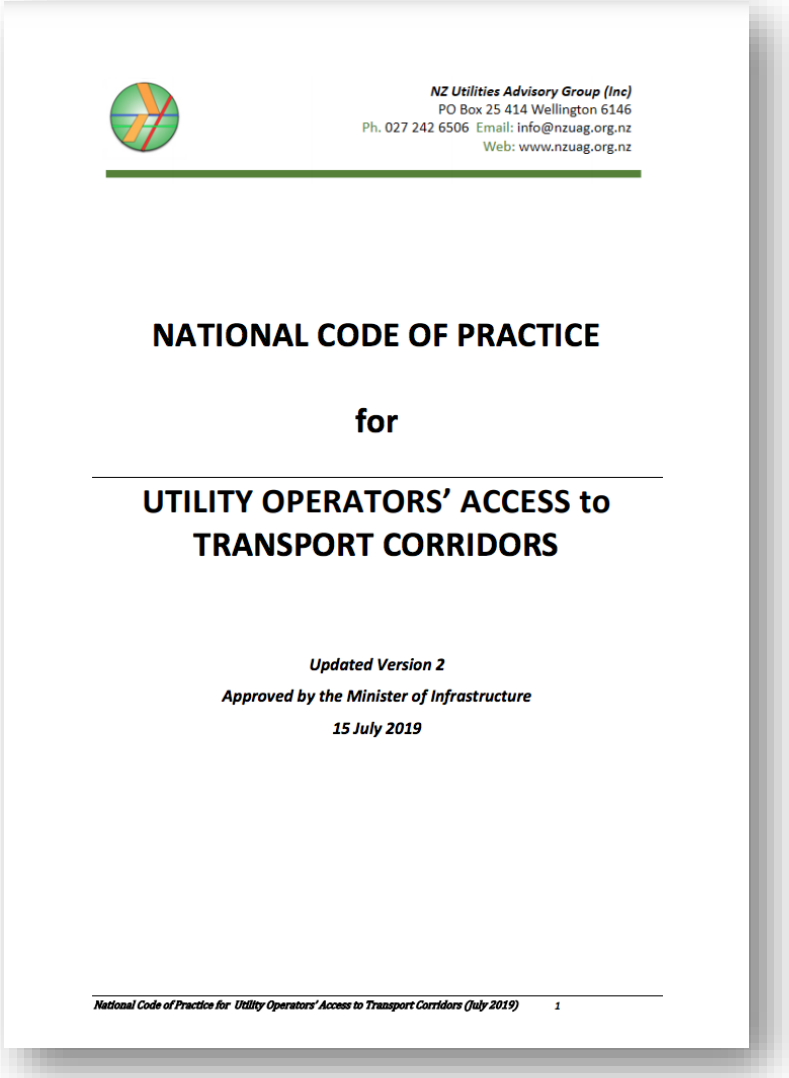
- Increase awareness and education of the Code as knowledge across actors and stakeholders is variable. E.g education workshops run by NZUAG, inviting speakers to CCNZ events etc
- Explore the addition of service strikes becoming a notifiable incident through Worksafe
- Distribute current guidelines more widely e.g NZUAG handbook for contractors
- Ongoing development of guidelines or notes to help people apply the Code, eg outline of who's responsible for what

Do you believe changes to the Code could make a difference to Service Strikes?



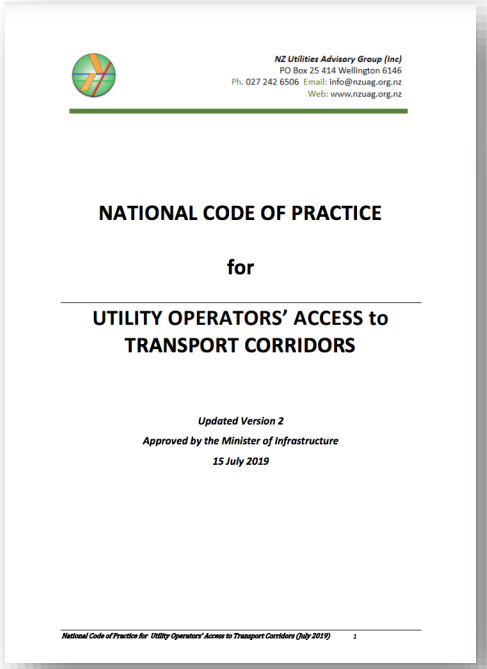
Objectives of Code

- To provide a nationally consistent approach
- Sharing forward work plans and information
- Working towards a balance of interests
- Maintaining integrity of transport corridor and utility assets
- Ensuring safety and efficiency
- Eliminating, isolating or minimizing road safety hazards
- Encouraging new technology approaches



How the Code affects your business

- Compliance with the Code is mandatory
- Provides the process for Utilities Operators and Corridor Managers to exercise and manage their rights and responsibilities for work in the transport corridors
- It sets out reasonable conditions of access and statutory time-frames
- Sets out dispute resolution process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NATIONAL CODE OF PRACTICE

for

UTILITY OPERATORS' ACCESS to TRANSPORT CORRIDORS

Updated Version 2
Approved by the Minister of Infrastructure
15 July 2019

Participant commitments

Here's what participants shared at the wrap up of Phase One when asked what their highlight or insight from the process was:

- *"I'm committed to getting more awareness out there, including with younger or newer people coming through, so they can understand the Code and the role of NZUAG"*
- *"The networking component, hearing peoples' ideas and solutions has been really cool."*
- *"Knowledge sharing and gathering going forward is key. I will support NZUAG more in my role and am surprised by the lack of knowledge in our organisation."*
- *"I'm committed to knowledge sharing, and creating air space at branch settings, plus having regular communications to CCNZ members – including simple resources."*
- *"I enjoyed meeting everyone, knowledge sharing, raising awareness. I will take a lot from it."*
- *"I'm happy to help evangelise the work you are doing, share the common cause, we all have the same problem, and to provide assistance where we can.*
- *"We need the ability to commit the money and the mahi to do this properly. Let's work on procurement methodologies to get this right."*
- *"It can feel lonely to work on topics like this, has been great to work with like minded people and has motivated me to do more."*
- *"I'm committed to further work in the field with the contractors – I can go to my industry to see what we can do, and as an asset owner how can I support."*
- *This has been inspiring and encouraging, there's universal acceptance that it's not sitting with any one party, if we are to succeed we are going to have to work together."*
- *"Enjoyed the open and frank discussions with all the different parties, utility providers, control authorities."*
- *"I found a lot more maturity, trust and willingness to discuss the issues compared to 10 years ago – great to see."*
- *"This work has highlighted there is a lot more utilities can do in this space."*

Thank you to all those involved in this working group

CVL
Centre for Vision and Leadership