Looking for the blind spots
We find out if the reforms have reformed

2018 Health and Safety Leadership Survey
June 2018
What's working well? Have the reforms reformed?

How leaders have responded to the post-Pike River reforms, which culminated in the Health and Safety at Work Act coming into force two years ago.

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How we made this survey

This survey asked CEOs, directors and health and safety executives what was different as a result of the post-Pike River reforms, particularly the introduction of the Health and Safety at Work Act.

138 people contributed to the survey in April 2018

- 91 CEOs, Managing Directors, Directors, Partners or Senior Executives
- 47 Senior health and safety or risk executives, health and safety consultants etc

85% are from the private sector
15% are from the public sector

They have revenue of:

- 24% Under $21m
- 10% $21m-$50m
- 19% $51m-$100m
- 41% Over $100m
- 6% Other

They employ:

- 16% Under 51 people
- 32% 51-200 people
- 19% 201-500 people
- 33% Over 500 people

Unions representing employees:

- 51% YES
- 49% NO
What's changed?

Key findings

- 50% say reforms helped them become a safer business
- 50% say boards now proactively raise H&S and ask probing questions of management
- 30% wait for management to raise issues – which doesn’t align with their due diligence duty to be proactive on H&S
- 8/10 get assurance that H&S is on track through reports from management
- Less than half seek assurance from internal audits or external reviews
- Less than a third are extremely confident every director could name their businesses’ critical risks
- Catastrophic risks are commonly managed the same way as acute risks – which is not good practice
- Nearly 13% of health and safety committees are coordinated or initiated by workers
- Only 1 in 6 have to comply with more than 5 different pre-qualification schemes used by clients/customers, increasing compliance costs
2018 Health and Safety Leadership Survey | Key findings

But ...

**Less than half** seek assurance from internal audits or external reviews

**More effort** is going into controlling risks, rather than just identifying them

**Less than a third** are extremely confident every director could name their businesses’ critical risks

**Nearly 70%** say the new environment has had an impact on procurement, with two-thirds now using pre-qualification schemes

**But ...**

Catastrophic risks are commonly managed the same way as acute risks - which is not good practice

**But ...**

80% of health and safety committees are coordinated or initiated by workers

**Nearly 1 in 6** have to comply with more than 5 different pre-qualification schemes used by clients/customers, increasing compliance costs

**The majority** believe workers and managers understand why it is important for workers to be actively involved in health and safety

**But ...**

Less than half seek assurance from internal audits or external reviews

**Only 13%** of health and safety committees are coordinated or initiated by workers
Have the reforms reformed?

This survey explores how business leaders have responded to the biggest reforms to New Zealand’s health and safety environment in more than 20 years. These reforms were sparked by the Pike River mining tragedy and culminated in the passage of the Health and Safety at Work Act 2015 (HSWA).

The objective of the survey is to see what, if anything, has changed since the new Act came into force just over two years ago. How has it helped leaders focus on what matters most in health and safety? What impact has it had on how they lead, enable and monitor health and safety? Are there areas where the response might not be supporting good leadership?

The results reflect the view of 138 directors, chief executives, senior executives, and health and safety executives working in the public and private sector in a range of industries across New Zealand.

Survey mirrors focus areas in the new Act

The intent of HSWA is to protect the lives and health of working New Zealanders, and people who come into contact with our workplaces. Probably the most important way the Act works to achieve this goal is by encouraging businesses to focus on improving:

- **Leadership and governance** of health and safety, including by imposing due diligence duties on ‘officers’ (directors and very senior executives)
- **Risk management**, particularly management of critical risks (that can kill people), catastrophic risks (that can kill a lot of people at once), and health risks (which kill an estimated 600-900 people a year)
- **Health and safety in the supply chain**, including by increasing responsibilities for those who engage contractors/suppliers (the ‘PCBU’ regime described in the Act)
- **Involvement of workers in health and safety**, ensuring they have the opportunities and skills needed to improve health and safety in their workplace.

This survey explores what changes have occurred in these four key areas.
Overall, the Act has had a positive impact. But blind-spots make leaders vulnerable
The survey results provide a strong signal that the Act has had a positive impact on attitudes and practices in our workplaces. Half of all respondents agreed that they are now a safer business compared with two years ago.

Governance and leadership
The law has helped put, and keep, health and safety on the boardroom agenda. In some businesses, there is now more contested debate among directors about health and safety versus other business objectives.

However, while half of boards take a proactive approach to health and safety, about a third appear to wait for management to raise issues. This reactive approach leaves directors vulnerable because the Act's due diligence duties require them to be proactive in their governance of health and safety.

The vast majority of boards also appear to rely heavily on management reports to assess performance. Fewer than half seek assurance from external reviews or internal audits. This reliance on management reports could be a source of vulnerability and suggests some boards don’t see a distinction between reporting and assurance. It is also noteworthy that health and safety executives – who are likely to play a role in preparing these reports - tended to be less sure these documents provided all the information needed to understand and manage health and safety.

Risk management
There has been a significant increase in the focus on controlling risks for nearly nine out of 10 respondents. More than two-thirds devote at least half their time/resources to controlling risks, rather than just identifying them. This shift towards actively controlling risks (rather than just identifying them) is to be encouraged because that’s what ultimately keeps people from being harmed at work.

However, less than a third of respondents are extremely confident that every member of their board could name all the businesses’ critical risks. Health and safety executives are much less confident than the CEOs and directors themselves. This suggests a potential blind-spot for directors/CEOs.

Of those with catastrophic risks in their business, over half say they manage these catastrophic risks the same way as their acute risks. This is despite good practice being that managing catastrophic demands a more disciplined and involved approach to risk control and monitoring.

The Act includes a hierarchy of controls – emphasising that businesses should first try to eliminate hazards before putting in place less effective controls like personal protective equipment (PPE). However, the survey suggests that PPE is the most commonly used method of dealing with health risks. Fewer than half of respondents use engineering controls to eliminate health risks at source.

The results reflect the view of 138 directors, chief executives, senior executives, and health and safety executives working in the public and private sector in a range of industries across New Zealand.
Ensuring that boards and executives have a clear line of sight between critical risks, right / best controls and robust assurance those controls work, is essential to improving and enhancing performance.

Health and safety in the supply chain
Leaders say they are now clearer about where risks sit in their supply chains and who is responsible for managing them. There is widespread use of pre-qualification schemes, and meetings between leaders to build understanding about health and safety. More than half of respondents say they use metrics other than financial ones when making decisions on tenders.

However, many procurement decisions are still made largely on price. And while the use of pre-qualification schemes is seen as improving safety and assurance, many businesses are required to comply with multiple schemes, or use multiple schemes with their contractors. This raises the question of whether businesses are imposing significant additional compliance costs on each other that aren’t justified by gains in performance.

Worker involvement
Many leaders are confident that their workers and middle managers understand why getting involved in health and safety is important, and that their workers have the skills and opportunities to play a role. There is increased discussion with unions on health and safety for about a third of those companies where unions are present.

However, the results suggest confidence about worker engagement among CEOs/directors is not matched by those working at the ‘coalface’ of health and safety. Health and safety executives are less likely to believe that middle managers understand why they and their workers need to be involved in health and safety.

CEOs/directors generally more confident than health and safety executives
There are some subtle, but important, differences between the results from CEOs/directors and health and safety executives. For example, health and safety executives are more modest in their assessment of how vigorously boards are discussing health and safety, and of directors’ awareness of the business’ critical risks. This raises questions about whether the CEO/directors’ confidence is justified.

What next?
The purpose of this survey is not to judge the success or failure of the Act. Nor is it intended to draw firm conclusions about how well CEOs and directors are leading health and safety performance. Rather, we hope it will spark conversations in boardrooms, executive suites and between business and government. These conversations need to focus on whether we are seeing signs that the intent of the Act is being translated to the right actions and practices. And if not, what are we, as leaders of New Zealand organisations, going to do about that?

Francois Barton
Executive Director
Business Leaders’ Health and Safety Forum

Aloysius Teh
Managing Partner, Risk Advisory
Deloitte
Results

Overview

Things have improved

It was generally agreed that the reforms have led to businesses being safer, and this has had a positive impact on employee engagement. Half of respondents said health and safety was already a ‘top table’ issue and remains so.

Over recent years there have been many changes to NZ’s health and safety environment, including a new regulator, a new regulatory framework, as well as an increase in the number of sector and professional health and safety groups. What would you describe as the top 3 impacts of these reforms on your business’ performance over the last 2 years?

- We are a safer business: 50%
- It was a top table issue and remains so: 49%
- It has positively impacted employee engagement: 45%
- It’s been a key area in the last 2 years but is now moving to a more “steady state” of priority: 38%
- It has cost us more money: 24%
- It is a growth priority area: 23%
- It has improved our quality of service: 13%
- No discernible impact thus far: 3%
- It wasn’t a priority 2 years ago and there is no change: 1%
- Other: 4%
Results
Leadership and governance

Some boards are proactive in probing health and safety

Half of the respondents said their board is proactively raising and asking probing questions about health and safety. Only 1% did not discuss health and safety at all.

Thinking about the last two board or governance group meetings you’ve attended, which of the following statements best characterises the discussion of health and safety at the governance level?

- The board proactively raised, and asked probing questions of management about the health and safety implications of operations and strategic investments (50%)
- The board actively discussed issues brought to their attention by management (30%)
- The board’s focus was on improving injury and incident rates (9%)
- Something else (4%)
- I don’t have a board (6%)
- We didn’t discuss health and safety (1%)

Note: Due to rounding, figures don’t add up to 100%
There is a more debate around the boardroom table

More people agree than disagree that since the new Act came into force, there is more contested debate among directors about health and safety. Those with unions are more likely to agree.

How much do you agree or disagree with the following statement: Since the 2015 Health and Safety at Work Act came into force, there has been contested debate in the boardroom on prioritisation of health and safety, versus other business objectives?

Note: Due to rounding, figures don't add up to 100%
Assurance most commonly sought via internal reports

The most common ways to get assurance about the effectiveness of risk controls is through management and board papers, internal reports and incident reporting. Audits are more likely where unions are present and in organisations with 500-plus employees and $100m plus in annual revenue.

**How do you get assurance or gain confidence about the effectiveness of your health and safety risks and risk management system? (Select all that apply)**

- **Management and board papers on H&S**
- **Information (internal reporting) on the adequacy and effectiveness of critical controls**
- **Absence or presence of near misses, incidents, and serious harm events reporting**
- **External reviews and audits**
- **Visibility of critical risks and identified controls**
- **Review and audits done by H&S team**
- **Review and audits done by internal audit team**
- **H&S lead and lag indicators including suppliers’ performance**
- **Review and audits done by risk management team**
- **Review and audits done by the business groups who have those critical risks to manage**
- **Other**
- **Unsure**
- **N/A - We don’t have H&S risk management systems**

Note: Due to rounding, figures don’t add up to 100%
Boards rely heavily on CEO reporting for assurance

Almost 8 in 10 respondents said boards seek confidence that the health and safety system is working through reports from the CEO and health and safety information. Less than half said the board seeks confidence from external reviews or internal audits.

How does your board seek confidence that the organisation’s health and safety systems are fit for purpose and working? (Please select up to three)

- Reporting from the CEO, and Board receiving H&S information: 78%
- Risk management and monitoring practices: 58%
- Directors’ own enquiry and due diligence: 46%
- External reviews / reports: 41%
- Audit or review work done by management: 40%
- Other: 3%
- Unsure: 1%
- N/A - we don’t seek confidence they are working: 1%

Strong confidence that reports provide the information that’s needed

Nearly 90% said the health and safety reports they received provided the appropriate insights to understand and challenge the performance and management of health and safety. Health and safety executives were less likely to be sure reports provides all the information required.

Are the health and safety reports providing you with the insights that help you understand and challenge the performance and management of health and safety in your organisation?

- Yes: 88%
- No: 2%
- Unsure: 7%
- N/A – I haven’t seen a H&S report: 2%

Note: Due to rounding, figures don’t add up to 100%
"Reporting in H&S often gets mistaken for assurance. Maintain your reporting but also seek assurance that your programme is on the right track. Consider the value of assurance in financial reporting and take a similar view for H&S."

**Deloitte**

“Not everything that matters to health and safety can be measured, so some of the indicators directors and CEOs should be looking for will be descriptions, assessments, and analysis of the information. That’s what they need to support decision-making that affects health and safety.

They need to focus on the things that will make the biggest difference to the health and safety performance of their business. Research tells us that what matters most is effectively managing:

- Risks – particularly critical risks that can cause serious harm
- Relationships – including overlapping duties with other PCBUs and relationships with workers that affect workplace culture
- Resourcing – including people, plant and processes.”

**Business Leaders’ Health and Safety Forum**
Results

Risk management

Improved focus on risk control

The vast majority have increased the focus on risk control, compared with risk identification. Shifting the focus to controlling risks is a key objective of the new Act.

Has there been an increase over the last two years in the focus on risk control (i.e. how the risks identified are controlled) versus risk identification (i.e. the identification and registration of the risk)?

More time/resources are spent controlling risks

More than two-thirds devoted at least half their time/resources to controlling risks, versus identifying them. Health and safety executives were more likely than CEOs and directors to say their organisation put more time/effort into identifying risks than controlling them.

Approximately what percentage of your time and resources goes into identification versus risk control?

<table>
<thead>
<tr>
<th>Percentage Distribution</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>100% risk control</td>
<td>2%</td>
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<tr>
<td>25% risk identification / 75% risk control</td>
<td>27%</td>
</tr>
<tr>
<td>50% risk identification / 50% risk control</td>
<td>41%</td>
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<tr>
<td>75% risk identification / 25% risk control</td>
<td>16%</td>
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<tr>
<td>100% risk identification</td>
<td>0%</td>
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<tr>
<td>Unsure</td>
<td>12%</td>
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<tr>
<td>N/A - we don’t do this</td>
<td>2%</td>
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</tbody>
</table>

Note: Due to rounding, figures don’t add up to 100%
Understanding of critical risks is less than ideal

Less than a third of respondents were extremely confident that every board member could name their businesses’ critical risks – the things that can kill people at work. Only 11% were confident that everyone in the business could name the critical risks. Health and safety executives were much less confident that board members and people in the organisation knew the critical risks than CEOs and directors themselves.

**Q** If you asked anyone in your business to name your critical risks and critical controls to manage them, how confident are you they could reply?

- Not at all confident
- Slightly confident
- Somewhat confident
- Moderately confident
- Extremely confident

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Not at all confident</th>
<th>Slightly confident</th>
<th>Somewhat confident</th>
<th>Moderately confident</th>
<th>Extremely confident</th>
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<tbody>
<tr>
<td>5%</td>
<td>19%</td>
<td>28%</td>
<td>37%</td>
<td>11%</td>
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</tbody>
</table>

Note: Due to rounding, figures don’t add up to 100%.

**Q** If you asked individual board members to name the critical risks in your business and the critical controls in place to manage them, how confident are you that they could reply?

- Not at all confident
- Slightly confident
- Somewhat confident
- Moderately confident
- Extremely confident

<table>
<thead>
<tr>
<th>Percentage</th>
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<th>Extremely confident</th>
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<td>2%</td>
<td>12%</td>
<td>19%</td>
<td>40%</td>
<td>28%</td>
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Note: Due to rounding, figures don’t add up to 100%.
Concerningly, catastrophic risks are often managed like other risks

Of those with catastrophic risks in their business, over half said they managed these catastrophic risks the same way as their acute risks. This is despite good practice risk management being that catastrophic risks demand a more disciplined and involved approach to risk control and monitoring.

Some businesses have catastrophic risks (risks that can kill or seriously injure multiple people). These include risks like chemicals, fires, large scale public transport, structural failures, mining, extractive hazards, high energy process hazards or dust explosions. If you have catastrophic risks like this in your business, how are these risks being managed?

- We have a major hazard facility plan: 32%
- They are managed the same way as other acute risks: 51%
- Other: 16%
- Unsure: 1%

Health controls focus on minimising, not eliminating

Health risks were most commonly managed using protective equipment. Fewer than half used engineering controls or considered health when investing in new plant and equipment, as a way of eliminating health risks at source. Limits on worker exposure to health risks were more likely where unions were present.

All businesses have health risks such as fatigue, psychosocial risks, excessive noise, sun, dust, chemicals or biological substances. How are these types of risks being managed? (Select all that apply)

- Protective equipment is provided: 77%
- We use EAP: 66%
- We undertake wellbeing monitoring: 57%
- We limit workers exposure (administration control): 57%
- We test worker health: 48%
- We undertake exposure monitoring: 44%
- We think about health in all procurement and new capex initiatives: 44%
- Engineering designs are in place: 43%
- Other: 6%
- Unsure: 3%
In considering the effectiveness of controls of your critical risks, take the time to engage with your workforce to find out what really is happening regarding the management of the risks. The results may surprise you and will lead you to a better outcome for risk management, H&S programmes and worker engagement.

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“The questions every leader needs to ask themselves about how well they’re managing risks are these: In our facility, what sorts of events can kill people? When (not if) one of those events happens, what do we have in place to stop people dying? And is that enough?

Because you want to be a company that knows how to fail safely. That’s how you become the safest company in the world.”

US organisational psychologist, Dr Todd Conklin talking to the Business Leaders’ Health and Safety Forum

“Moving to critical risks and critical controls has helped to simplify and focus engagement sessions.”

Survey respondent
Results
Supply chain

There has been an impact on how people work with suppliers

More than two-thirds said the new Act had an impact on how they worked with contractors and suppliers.

Has the new health and safety environment had an impact on how your business procures and manages goods and services?

- Yes: 69%
- No: 26%
- Unsure: 3%
- N/A – we don’t use a supply chain: 2%

The biggest change is to risk management in the supply chain

The biggest impact was that people were now clearer about where risks sit in their supply chains. CEOs and directors were more likely to comment that costs had increased, while many small businesses were having to comply with a myriad of pre-qualification ‘products’.

Please select all the ways the new H&S environment has impacted on your business regarding your supply chain

- We’re now clearer on where risks sit in our supply chain, and the roles and responsibilities for risk management with our suppliers and clients: 69%
- We use pre-qualification now/make more use of pre-qualification: 61%
- We now have meetings between our leaders and the leaders of key suppliers to build understanding and learn: 56%
- We now use metrics other than financial ones when making decisions on tenders, or when assessing the success of a contract: 53%
- We’ve invested in our generic procurement capability so there is greater understanding of the role of good H&S in procurement decisions: 43%
- It prompted us to review the level and extent of the use of third parties versus in-house provision: 32%
- We observe that the quality of supplier’s goods or services have materially improved: 17%
- We observe that the cost of contracting and supply or goods and services have materially increased: 14%
- Other: 2%
Suppliers having to comply with multiple pre-qual schemes

Nearly two-thirds used pre-qualification schemes with their contractors or suppliers. About a third used more than one scheme. Nearly 1 in 6 were having to comply with more than 5 different pre-qualification schemes used by their various clients/customers.

Do you use any formal pre-qualification schemes with your contractors or suppliers?

How many pre-qualification schemes do you use with your contractors / suppliers?

How many different pre-qualification schemes have you had to comply with in order to bid for work or meet the requirements of clients / customers?

Note: Due to rounding, figures don’t add up to 100%
Pre-qual seen as good business practice

Pre-qualification was seen as good business practice, and something that contributed to assurance and keeping people safe.

What have been the main drivers for your organisation’s use of pre-qualification schemes with your contractors / suppliers etc? (Select up to three)

- It is good business practice: 75%
- It has contributed to assurance that we are working with people who are up to it: 72%
- It helps me keep people safe: 59%
- It is a requirement of clients: 20%
- Regulatory compliance: 19%
- It is an industry practice: 12%
- Other: 2%
- Unsure: 1%
“Watch out for the blind spot regarding pre-qualifications. There tends to be a false sense of security that once an organisation passes pre-qualification that the H&S requirement for the contracted work will be appropriately managed. Pre-qualification may just sit at a panel agreement for some organisations and not be specific to the work required, leaving the organisation exposed to greater risk in their supply chain. Use pre-qualification as it is intended for, to pre-qualify and not as the final evaluation.”

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“Research shows, and experience backs this up, that success in the supply chain comes when organisations respect their suppliers/contractors, build long-term relationships with them, and collaborate with them on solutions. This can only happen if chief executives get personally involved in leading supply chain health and safety.”

Business Leaders’ Health and Safety Forum

“Procurement still comes down to the cheapest price by and large.”

Survey respondent
Results

Worker involvement

Confidence that people understand why workers need to be involved

More than three-quarters of respondents were moderately or extremely confident their workers understood why they need to be involved in health and safety, and had the skills and opportunities to do this. There were similar levels of confidence about middle managers. However, CEOs and directors were more confident about this group than health and safety executives.

How confident are you that your workers understand why their involvement in H&S is important and have the skills and opportunity to be involved?

![Confidence chart]

How confident are you that your middle managers understand why their involvement in H&S is important and have the skills and opportunity to help worker involvement in H&S?

![Confidence chart]

Note: Due to rounding, figures don’t add up to 100%
## Involving workers boosts up-take levels and general engagement

The main motivators for involving workers in health and safety were because it boosts uptake levels, and builds general engagement. Compliance with the law was more likely to be a motivating factor for those with fewer than 100 employees, less than $20m revenue and in non-unionised workplaces.

**What motivates you to involve workers in H&S? (Select up to three)**

<table>
<thead>
<tr>
<th>Motivation</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Involving workers in developing H&amp;S initiatives boost uptake levels</td>
<td>72%</td>
</tr>
<tr>
<td>Build general engagement</td>
<td>69%</td>
</tr>
<tr>
<td>Because my workers come up with good ideas for improvements</td>
<td>55%</td>
</tr>
<tr>
<td>Get visibility of weak signals of what’s going on – both positive and negative</td>
<td>42%</td>
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<tr>
<td>Compliance</td>
<td>31%</td>
</tr>
<tr>
<td>Other</td>
<td>6%</td>
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<tr>
<td>Unsure</td>
<td>1%</td>
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Note: Due to rounding, figures don’t add up to 100%
Few worker health and safety committees run by workers

Only 13% of health and safety committees are coordinated or initiated by workers. Generally, this is done by the health and safety manager or senior management.

How are the worker health and safety committees coordinated and supported?

- The H&S manager coordinates them: 42%
- Senior management coordinates them: 33%
- Workers coordinate/initiate them: 13%
- Other: 6%
- N/A - we don't have H&S committees: 6%

Union involvement largely steady

Union involvement with health and safety remains at the same as two years ago for just under a quarter of respondents. However, in some workplaces there has been an increase in discussions with unions on health and safety.

How active are unions with H&S?

- They remain at the same level as two years ago: 22%
- There is an increase in discussion with the unions on H&S topics: 15%
- H&S is not a key focus area for the unions: 10%
- H&S is now more prevalent in union agreement discussion: 3%
- N/A – unions are not present in my organisation: 50%
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Business Leaders’ Health and Safety Forum
The Forum was set up in 2010 to motivate and support chief executives and managing directors to become more actively involved in improving health and safety in their workplaces and supply chains. The Forum has nearly 340 members, most of them large companies or companies working in high risk sectors.

Visit www.zeroharm.org.nz
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