

# Mapping overlapping duties between organisations

## Background:

We often use the term “Overlapping duties,” when we refer to situations where there is a shared duty between two or more organisations.

Organisations are referred to in the Health and Safety at Work Act (HSWA) 2015 HSWA as a Person Conducting a Business or Undertaking or PCBU. The Act states:

*“If more than one PCBU has a duty in relation to the same matter imposed by or under this Act, each PCBU with the duty must, so far as is reasonably practicable, consult, co-operate, and co-ordinate activities with all other PCBUs who have a duty in relation to the same matter.”*

In our engagements with agencies, leads and practitioners on this topic, we’ve encountered varying interpretations of how we manage “overlapping duties.”

## Problem Statement:

The broad range of relationship types and a lack of clear guidance on the application and boundaries of overlapping duties results in inconsistent levels of application, assurance and oversight.

Of particular risk, there is a potential for ‘overreach’ by organisations, where people, including H&S practitioners, are being required to assess risk and determine whether controls are appropriate for areas of risk that are beyond the responsibility of their organisation. This will also increase the likelihood that they are assessing risk and control where they do not have the knowledge or experience to do so.

## Purpose:

This tool is intended to help agencies map and understand their overlapping duty relationships — not how to fully manage them, which remains unique to each organisation. By identifying what relationships exist, agencies can lay the groundwork for appropriate coordination, proportional effort and assurance practices.

It is a starting point to answer the key question: “What do we have?”

From there, agencies can determine which relationships require deeper engagement, formalised arrangements or assurance activity based on their activities, risk profile and level of control.

## The Five Core Buckets (relationship types):

The goal is to ensure that all overlapping duty relationships are identified. The five relationship types (or “buckets”) in this guidance are designed to reflect the common types of overlapping duty relationships across the public sector. These categories support a consistent way for agencies to classify and explore where overlapping duties may exist.

The buckets are broad groupings intended to support thinking, not rigid categories, as set out in the diagram on the next page. Agencies are encouraged to consider what kinds of relationships they have within each bucket, including those unique to their context. Some relationships may fall into more than one bucket and in this scenario, it is for the agency to decide which is the best approach to take.

For example, the **Workflow Crossover** category captures any work-based interaction between PCBUs that isn’t defined by a contract or property relationship — this includes joint casework, collaborative programmes and importantly from a public sector perspective, regulatory interactions where agency staff are present in or influence the work of another PCBU.

In some cases, an agency may identify an area of overlapping duty that is of such significance they decide to develop subsets of a bucket, to support a deeper understanding of how to map and understand the relationships in a particular function. For example, there could be a subset for *large complex projects* in the **Contract** bucket or the *regulatory function* in the **Workflow Crossover** bucket.

## The Steps:

For all relationship types, there are four key steps to undertake which ensure you have mapped (identified and assessed) and described the overlapping duty relationship. case:

- Identify PCBU relationships including, where appropriate, the lead PCBU.
- Identify the overlapping duty responsibilities of each agency
- Agree the overlapping duty activities to be monitored and how to present this information
- Routinely review the PCBU relationships and activities

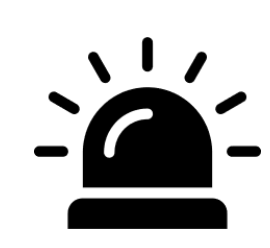
Once these steps have been agreed, you will be able to move on to agree the management detail, leading to the outcomes desired. A key element to keep in mind is that any activity being undertaken to manage overlapping duties should be proportional to the size and level of risk.

Overlapping Duties – The Five Buckets



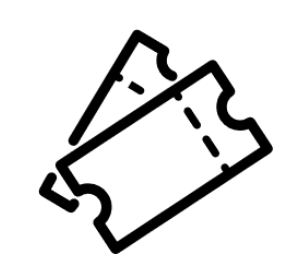
Contracts / Contractors:

Contractual relationships for contracts of service, bespoke pieces of work, tenders and projects. These contractual relationships bring multiple PCBUs together in a timebound relationship.



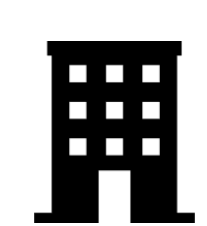
Emergency Response:

Relationships entered into as a result of responding to an emergency situation, including large scale emergencies where there is a coordinated multi-agency response required.



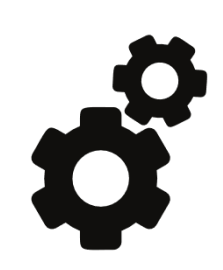
Events:

Relationships as a result of leading or being involved with other PCBUs in the organisation of large scale regular or one-off events.



Property / Facilities:

Relationships as a result of location or site. These include tenants, landlords, management companies and other PCBUs who are present at the location or site from time to time in the course of their work i.e. deliveries, maintenance.



Workflow crossover:

Relationships through the course of business work activities which bring two PCBUs together (either directly or indirectly) where there is no contractual connection. Also include where agencies work in partnership through non-contractual agreements.

	CONTRACTS / CONTRACTORS		PROPERTY		EMERGENCY RESPONSE	
SCOPE	Contractual relationships for contracts of service, including bespoke pieces of work, tenders and projects. These contractual relationships bring multiple PCBUs together in a timebound relationship.		Relationships as a result of location or site. These include tenants, landlords, management companies and other PCBUs who are present at the location or site from time to time in the course of their work i.e. deliveries, maintenance.		Relationships entered into as a result of responding to an emergency situation, including large scale emergencies where there is a coordinated multi-agency response required.	
COMMON EXAMPLES (NOT EXHAUSTIVE)	<ul style="list-style-type: none"> <li>Capital works projects</li> <li>Maintenance and service contracts</li> <li>ICT or consultancy tenders</li> </ul>		<ul style="list-style-type: none"> <li>Co-located government hubs.</li> <li>Landlord–tenant relationships.</li> <li>Shared facilities or amenities.</li> </ul> Contractors on-site (maintenance, cleaning, catering).		<ul style="list-style-type: none"> <li>Natural disaster or severe weather response.</li> <li>Public health crises.</li> <li>A Terrorist event.</li> </ul>	
KEY INTERNAL PARTNERS	<ul style="list-style-type: none"> <li>Procurement</li> <li>Programme Management Office</li> <li>Legal</li> <li>Protective Security</li> </ul>		<ul style="list-style-type: none"> <li>Property / Facilities teams</li> <li>Protective Security</li> <li>Site H&amp;S Committees</li> </ul>		<ul style="list-style-type: none"> <li>Incident Management Team (IMT)</li> <li>Emergency Management</li> <li>Legal / Comms / HR</li> <li>Field Operations teams</li> <li>Business Continuity Team</li> </ul>	
	What it means	Examples	What it means	Examples	What it means	Examples
Identify PCBU Relationships	Understand which PCBUs are involved in contracts in your organisation – and their role in the work.	<ul style="list-style-type: none"> <li>Categorise contracts by risk and complexity.</li> <li>Map contractors and subcontractors using a manual register or purpose made software.</li> </ul>	Identify all PCBUs present or operating in the same physical space. Both regular and <i>ad hoc</i>	<ul style="list-style-type: none"> <li>Maintain a register of site tenants, service providers, regular and <i>ad hoc</i> visitors.</li> <li>Identify shared facilities or zones (e.g. lifts, fire exits).</li> </ul>	Know which agencies or teams will be involved during a response.	<ul style="list-style-type: none"> <li>Plan IMT membership.</li> <li>Include responders in emergency plans and contact lists.</li> <li>Clarify operational jurisdiction and command structures.</li> </ul>
Identify Overlapping Responsibilities	Determine where duties overlap and who is responsible for what.	<ul style="list-style-type: none"> <li>Identify shared risks (e.g. site access, hazardous work).</li> <li>Check if contractors have their own H&amp;S systems.</li> <li>Clarify expectations in the pre-contract.</li> <li>Set out expectation in contract and pre-start meetings.</li> </ul>	Understand who is responsible for shared spaces or infrastructure.	<ul style="list-style-type: none"> <li>Clarify responsibilities for fire wardens, first aid and emergency drills.</li> <li>Coordinate building security and access controls.</li> <li>Document who manages machinery and equipment maintenance.</li> <li>Others entering the building e.g. clients</li> </ul>	Determine which risks are jointly held during a response and who is lead agency.	<ul style="list-style-type: none"> <li>Define shared safety roles during activation.</li> <li>Agree on field protocols (e.g. PPE, fatigue management).</li> <li>Identify who leads engagement and communication with workers and public.</li> </ul>
Monitor Activities	Ensure responsibilities are being carried out safely.	<ul style="list-style-type: none"> <li>Check agreements are up to date.</li> <li>Build into contract management meetings.</li> <li>Monitor incidents, near misses and escalate.</li> <li>Consider site visits or spot checks.</li> </ul>	Ensure day-to-day, both regular and <i>ad hoc</i> , activities align with agreed responsibilities.	<ul style="list-style-type: none"> <li>If lead PCBU, hold regular tenant or site meetings.</li> <li>Monitor compliance with visitor/contractor policies.</li> <li>Track incident reports and H&amp;S concerns across tenants.</li> </ul>	Ensure coordinated and safe delivery during response efforts.	<ul style="list-style-type: none"> <li>Deploy field safety officers or leads.</li> <li>Maintain logs and briefings on safety issues.</li> <li>Monitor mental and physical fatigue of responders.</li> </ul>
Review Relationship and Activities	Evaluate how well the overlapping duties have been managed.	<ul style="list-style-type: none"> <li>During and post-project reviews or debriefs.</li> <li>Review incident trends or feedback.</li> <li>Adjust procurement or onboarding processes based on lessons</li> </ul>	Assess how well duties are coordinated on site.	<ul style="list-style-type: none"> <li>Use annual site reviews or shared audit results.</li> <li>Update shared emergency plans as site usage changes.</li> <li>Debrief after any incidents or drills.</li> <li>Engagement with site H&amp;S Committee</li> </ul>	Post-response, assess coordination and outcomes.	<ul style="list-style-type: none"> <li>Participate in multi-agency debriefs.</li> <li>Document lessons and updates to future plans.</li> <li>Share wellbeing and safety support resources.</li> </ul>

	EVENTS		WORKFLOW CROSSOVER	
SCOPE	Relationships as a result of leading or being involved with other PCBUs in the organisation of large scale regular or one-off events.		Relationships through the course of differing business work activities which bring two PCBUs together (either directly or indirectly) where there is no contractual connection, or where agencies work in partnership through non-contractual agreements.	
COMMON EXAMPLES (NOT EXHAUSTIVE)	<ul style="list-style-type: none"> <li>Public-facing events in shared venues.</li> <li>Inter-agency career fairs or roadshows.</li> <li>Regional or national summits.</li> <li>Sporting events</li> </ul>		<ul style="list-style-type: none"> <li>Cross-agency programmes or casework.</li> <li>Collaborative operations (e.g. compliance visits).</li> <li>Incidental same site work (unconnected).</li> </ul>	
KEY INTERNAL PARTNERS	<ul style="list-style-type: none"> <li>Event Management teams</li> <li>Communications and Engagement</li> <li>Legal and Risk</li> <li>Venue Management</li> </ul>		<ul style="list-style-type: none"> <li>Operational teams (e.g. Inspectors, Officers, Caseworkers)</li> <li>Data / Information Sharing teams</li> <li>Legal and Privacy</li> </ul>	
	What it means	Examples	What it means	Examples
Identify PCBU Relationships	Map all agencies or organisations involved in the event.	<ul style="list-style-type: none"> <li>Use event plans or vendor lists.</li> <li>Identify venue owners/operators and external service providers.</li> </ul> Confirm agency lead for the event.	Understand where day-to-day work connects with other PCBUs.	<ul style="list-style-type: none"> <li>Map shared workflows or projects.</li> <li>Identify agencies interacting with your clients or systems.</li> <li>Look for informal or historical partnerships.</li> </ul>
Identify Overlapping Responsibilities	Define shared and separate duties for safety, logistics, and public protection. Identify lead agency. Have contracts.	<ul style="list-style-type: none"> <li>Identify who manages crowd control, emergency evacuation and security.</li> <li>Ensure all PCBUs have risk assessments and controls in place covering pre and post event.</li> <li>Consider risk of terrorist or crowd violence.</li> <li>Align communications and signage plans.</li> </ul>	Agree on boundaries for responsibilities (e.g. lead agency).	<ul style="list-style-type: none"> <li>Clarify risks arising from the way work is delivered together.</li> <li>Understand joint exposure to psychosocial or field risks.</li> <li>Align on information sharing practices.</li> </ul>
Monitor Activities	Ensure that agreements are in place prior and observe whether duties are being carried out effectively on the day.	<ul style="list-style-type: none"> <li>Ensure final meeting takes place pre-event to confirm plan and details.</li> <li>Assign roles for spot checks during the event.</li> <li>Log and escalate any safety concerns.</li> <li>Maintain contact points across PCBUs during live delivery.</li> </ul>	Be aware of how work is delivered and where risks may arise.	<ul style="list-style-type: none"> <li>Check in regularly with operational partners.</li> <li>Review and act on feedback from frontline staff.</li> <li>Agree communication channel with other PCBU's</li> <li>Monitor system changes or escalations.</li> </ul>
Review Relationship and Activities	Reflect on how the event went and what could be improved.	<ul style="list-style-type: none"> <li>Hold a post-event debrief (including external partners).</li> <li>Share feedback on safety coordination.</li> <li>Capture learnings for future events.</li> </ul>	Continually assess the health & safety of cross-agency working.	<ul style="list-style-type: none"> <li>Use service reviews, joint evaluations or working groups.</li> <li>Adapt partnership approach.</li> <li>Build in feedback loops from those doing the work.</li> </ul>