Contractor Management Procedure

Education Centre of Australia Pty Ltd (the ‘Company’) is committed to providing a safe and healthy work environment for all workers, so far is reasonably practicable.

1. **Aim**

1.1 Under the relevant health and safety legislation (the ‘Legislation’) and associated Regulations and codes of practice, the primary duty to eliminate or minimise, as far as reasonable practicable, the risks to health and safety in the workplace is imposed on a person conducting a business or an undertaking (‘PCBU’). The PCBU bears the primary responsibility for workplace safety. For the purposes of the Legislation, both the Company and its contractors are PCBUs and therefore share an equal duty to ensure the health and safety of workers at the workplace.

1.2 To meet its obligations under the Legislation, the Company must ensure that its contractors carry out their work safely. The aim of this Contractor Management Procedure (‘the procedure’) is to assist the Company in fulfilling its work, health and safety (‘WHS’) obligations. The Company will adopt a risk management approach when utilising contractors so that the potential risks to health and safety are eliminated, or minimised, as far as practicable.

2. **Scope**

2.1 This procedure applies to all the Company’s workplaces and covers the selection, management and monitoring of contractors engaged by the Company.

2.2 Contractors are expected to work safely at all times, in line with their obligations under the Legislation, associated Regulations, and Codes of Practice, Australian Standards and this procedure.

3. **Definitions**

3.1 The following are terms used in the procedure:

‘Contractor’ — means a person (corporate or individual), including sub-contractors, who are engaged by the Company to perform work, carry out a service or provide labour hire.

‘Construction project’ — means a project involving construction work where the cost of the construction work is $250,000 or more.

‘Construction work’ — means the construction, alteration, conversion,fitting-out, commissioning, renovation, repair, maintenance, refurbishment, demolition, decommissioning, or dismantling of a structure, including but not limited to the following:

- installation or testing carried out in connection with of an activity listed above;
- removal of product or waste resulting from a demolition;
• prefabrication or testing of elements, at a place specifically established for construction work;

• assembly, or disassembly, of prefabricated elements to form a structure;

• installation, testing or maintenance of an essential service in relation to a structure;

• excavation work;

• preparatory work or site preparation;

• an activity listed above that is carried out on, under or near water, including work on buoys and obstructions to navigation; or

• any other activity specified by the relevant WHS regulations (the ‘Regulations’).

‘Hazard’ — means a situation with the potential to cause injury or harm to a person or to property.

‘High-risk construction work’ — means construction work that:

• has risk of a person falling 2.0 metres or more;

• is on telecommunications towers;

• involves demolition of a load bearing structure;

• involves, or is likely to involve, the disturbance or removal of asbestos;

• involves structural alterations that require temporary support to prevent collapse;

• involves a confined space;

• involves excavation at a depth greater than 1.5 metres;

• is carried out in or near tunnels;

• involves the use of explosives;

• is on or near pressurised gas distribution mains or piping’s;

• is on or near chemical, fuel, or refrigerant lines;

• is on or near energised electrical installations or services;

• is in an area that may have a contaminated or flammable atmosphere;

• involves tilt-up and pre-cast concrete;
is on, or adjacent to, a road, railway, or shipping lane used by traffic other than pedestrians;

involves movement of powered mobile plant;

is in an area where there are artificial extremes of temperature;

is in, or near, water or other liquid where there is a risk of drowning;

involves diving;

or involves any other activity specified by the Regulations.

‘Induction’ — means a formal process of providing information on safety requirements prior to commencement of work.

‘WHS Management Plan’ — means documentation from the principal contractor, outlining how WHS will be managed for the construction project, which includes:

- a statement of responsibilities listing the names, positions and responsibilities of all persons who will have specific responsibilities for WHS at the workplace;
- arrangements for consultation, co-operation and the co-ordination of activities with the Company, or other contractors, in relation to compliance with the Legislation and the Regulations;
- details of the arrangements for ensuring compliance with the requirements for WHS induction training;
- details of the arrangements for managing WHS incidents, including the identity of and contact details for the person(s) who will be available to prevent, prepare for, respond to and recover from WHS incidents;
- any site specific safety rules and details of the arrangements for ensuring all persons at the workplace are aware of the rules; and
- arrangements for the collection, assessment, monitoring and review of SWMS.

‘Principal contractor’ — means a person who is appointed to manage, co-ordinate and/or implement a construction project.

‘Risk’ — means the likelihood of a ‘hazard’ occurring.

‘Risk assessment’ — means the process of identifying hazards associated with a particular activity, assessing risk and recommending methods of eliminating or minimising those risks.
‘Safe Work Method Statement (‘SWMS’) — means a document which describes high risk construction work, the health and safety risks associated with the work, the control measures that will be applied to the work and how they are to be implemented, monitored and reviewed.

4. Contractor register

4.1 A register of approved contractors (the ‘Approved Contractor Register’) will be developed and regularly reviewed by the Company. Contractors will be selected from the Approved Contractor Register on the basis that they meet the following criteria:

- provide evidence of WHS procedures covering the contractor’s planned work activities and operations in accordance with the Legislation and the Regulations, including risk assessment and management;
- be able to comply with the Company’s WHS policies and procedures;
- provide a Job Safety Analysis (‘JSA’) or SWMS (if relevant);
- complete the Company’s Contractor Pre-Qualification Checklist to the required standard.

5. Responsibilities

5.1 Operations Director

(a) The Operations Director will:

- implement this procedure;
- maintain the Approved Contractor Register and make it available to all workers;
- conduct pre-contract assessment and approval of the contractor’s risk assessment and proposed management of WHS;
- verify that contractors have current workers compensation insurance and public liability insurance of no less than $10,000,000.00 and that certificates of currency are provided prior to commencing work;
- ensure completion and collection of JSAs or SWMS (if relevant);
- ensure the Contractor Pre-Qualification Checklist has been completed and relevant forms and licenses have been submitted by the contractor to the required standard;
- ensure an adequate contract is in place with a detailed specification of works;
- ensure that contractors have been inducted in the Company’s WHS policies and procedures, and behavioural expectations;
- ensure that general construction induction has been provided to workers, as required by the Regulations and general construction induction training cards are held;
• complete and maintain the Contractor induction Checklist;

• inform contractors of site specific hazards that they may potentially be exposed to and ensure contractor’s proposed work methods do not place them, their workers, the Company’s workers, or others at risk;

• provide all information required under the Legislation and Regulations to a principal contractor for a construction project;

• advise the relevant manager/supervisor when the work will be conducted in their area;

• check, monitor and audit contractors performance and documentation;

• ensure that any equipment used by the contractor is in safe working order by requesting plant registers, maintenance records;

• ensure that the contractor has issued permits and/or licences required by the Regulations for the work to be undertaken, for example, a confined space entry permit, and including any licences required for high risk construction. The original copy of the permit is to be retained by the Company;

• arrange for the appropriate supervision of contractors;

• ensure that personal protective equipment (‘PPE’) is provided, if required; and

• act on identified non-compliance of contractors.

6. Workers

6.1 All workers must:

• take reasonable care for their own health and safety and that of others at risk of injury;

• not place themselves, contractors or other workers at risk of injury;

• comply and co-operate with the Company’s instruction and WHS policies or procedures;

• report non-complying, or unsafe work methods of contractors to Company management.

7. Contractors

7.1 All contractors must:

• comply with the Legislation, associated Regulations, Codes of Practice, and Australian Standards relevant to any work, including construction work, undertaken by them;

• comply with the Company’s WHS policies and procedures and any other relevant workplace policies;
• ensure that they have the required qualifications, training, experience, and certificates of competency required for the work;

• provide a risk assessment and proposed management of WHS in the workplace;

• ensure JSAs or SWMS had been completed;

• provide relevant WHS information to the Company when requested;

• develop site-specific procedures relevant to site hazards and work activities at the workplace;

• successfully complete the Company’s induction, or any induction required under the regulations;

• ensure that general construction induction has been provided to workers, as required by the Regulations and general construction induction training cards are held;

• maintain the Company’s workplace in a safe manner and not place themselves, or others at risk of injury;

• issue permits and/or licences required by the Regulations for the work to be undertaken, for example, a confined space entry permit, and including any licences required for high risk construction;

• supervise sub-contractors;

• report any incidents, injuries, near misses, or non-compliances to the Company;

• communicate with the Company regularly;

• raise any issue that is, or may be become, a hazard;

• consult, co-ordinate, and co-operate with the Company on WHS issues;

• participate in a review of contract performance if requested.

• ensure that personal protective equipment (‘PPE’) is provided and worn, if required.

8. **Engaging a contractor**

8.1 If work, construction work, or a service is needed to be undertaken which requires the engagement of a contractor, the person requiring the work must obtain a copy of the Approved Contractor Register. Employees may only engage a contractor who is on the Approved Contractor Register. Employees cannot engage contractors for construction projects.
9. **Non-approved contractors**

9.1 For contractors who are not on the Approved Contractor Register, employees must contact the Company, who will then require the contractor to complete the Contractor Pre-Qualification Checklist. This will assist in ensuring that the potential contractor’s WHS management procedures are sufficient and in accordance with the Company’s requirements.

9.2 The Contractor Pre-Qualification Checklist, together with other documents or information requested, will be reviewed by the Company to determine whether the contractor can comply with the Company’s WHS and other requirements. Contractors who are subsequently approved will be added to the Approved Contractor Register. Employees will then be informed that the contractor is approved. If a contractor is not approved, they are not to be engaged.

10. **Signing the visitor’s book**

10.1 Before commencing work, contractors are to be signed in, by signing the visitor’s book, by the Company worker who has engaged them and a visitor’s pass will be issued (subject to satisfactory SWMs and other Company requirements - refer above). The visitor’s pass must be worn at all times while in Company workplaces.

10.2 The person engaging the contractor will then escort the contractor to the work site in order to familiarise them with the work environment and any potential hazards.

10.3 On completion of work, the contractor will be escorted from the workplace by their authorised Company contact and must sign the visitor’s book before leaving the workplace.

11. **Completion of work**

11.1 Prior to the contractor leaving the workplace, the area is to be inspected by the Company to ensure it has been left in a clean, tidy, and safe manner.

12. **Non-compliance**

12.1 If a contractor fails to comply with their contract, this procedure, the Company’s WHS requirements or the Legislation and Regulations, a written notice will be given to the contractor, specifying the non-compliance. All work will cease in relation to that activity. The Company should be informed. A plan requiring action will be developed in consultation with the Company’s WHS representative/s, if applicable. Work will recommence after the Company is satisfied that adequate risk controls are in place to avoid risk of injury.

12.2 The Company will be responsible for follow up and review. If the non-compliance continues, the Company (in consultation with the Company’s WHS representative, if applicable) will decide on the appropriate action.
12.3 A contractor’s poor WHS performance, including one-off instances or continuous breaches of WHS requirements, may lead to the termination of a contract and failure of not being awarded any further contract work.

12.4 Should the contractor be removed from the Approved Contractor Register, all relevant workers will be informed. All records relating to contractor’s performance must be kept.

13. **Contractor review**

13.1 A review of the performance of the contractor, and the work undertaken, will be conducted prior to the completion of the work and as part of the annual review, to determine if the contractor will retain their status as an approved contractor.

14. **Procedure review**

14.1 This procedure will be reviewed annually during the WHS Audit Program, through consultation with employees and health and safety representatives, and when legislative requirements change or in the event of a serious occurrence involving a contractor factor.

15. **Records**

- Approved Contractor Register
- Contractor Pre-Qualification Checklist
- Contractor Induction Checklist

**Policy version and revision information**

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