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CONTRACTOR POLICY

Overview

[The Company] makes use of consultants and contractors for services which cannot be provided in-house by its employees. For the purposes of this policy, a consultant or contractor (“contractor”) is any individual or company who fulfils a contractual obligation to [the company] under a contract for the provision of services. Contractors do not include:

- A person employed by [the company], performing work under a contract of service (including part-time and temporary staff); or
- An individual or company selling goods to [the company].

Contractors will typically carry out their activities on [the Company] premises but maybe work on behalf of [the company] in any location.

It is important that persons carrying out work for or on behalf of [the company] are correctly described and treated according to their correct category. If you are in any doubt as to the status of an individual or company performing work for [the company], you should ask [insert name of relevant senior person].

Purpose

[The Company] is committed to ensuring the health and safety of all persons who work in any capacity for [the company], including contractors, sub-contractors and other workers. It will do this by:

- engaging contractors in accordance with a detailed pre-selection process.

Only engaging contractors who:

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- ✓ are able to work in a safe, healthy and productive work environment;
- ✓ do not compromise the health or safety of workers, the workers of clients, customers, suppliers, or any other persons within the work environment; and
- ✓ Fulfil their work health and safety obligations and do not compromise the safety of workers or others in order to minimize cost.
- ensuring all that appropriate licenses, competency certification, insurance and indemnities are provided by the consultant or contractor prior to commencement of work;
- providing appropriate levels of induction and awareness training for consultants and contractors;
- ensuring that an appropriate level risk assessment/task safety analysis is conducted where required, by the consultant or contractor, prior to the commencement of tasks and that identified risks are eliminated or mitigated as far as is reasonably practicable;
- providing appropriate levels of supervision of consultants and contractors; and
- Assessing and monitoring contractors' performance in accordance with this Contractor Management Policy.

This policy is designed to ensure that:

- managers, supervisors and other employees make adequate provisions for the health and safety of contractors and other persons;
- contractors are suitably qualified and meet safety requirements; and
- Systems are in place to ensure the work performed by the contractor is satisfactory and there is no risk to employees arising from work performed during and after completion of the job.

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Employees who fail to comply with this policy may be subject to disciplinary action.

[Company name] may terminate its contract with any contractor who breaches this policy and may refuse to re-engage that contractor [to ensure there is no breach of contract or other unlawful conduct in termination or refusal of engagement, employers should seek legal advice before doing acting

[Company name] reserves the right to vary this policy from time to time at its absolute discretion.

Scope

The policy applies to the way in which managers, supervisors and other employees deal with the following persons (“**Contractors**”):

- Contractors and sub-contractors;
- Employees of contractors and subcontractors; and
- Employees of a Labour hire company who work for [company name].

Selection of Contractors

[The Company] recognizes that for work to be carried out in a safe and responsible manner, it needs to use credible and registered contractors.

[The Company] will ensure that contractors:

- are selected on merit;
- are suitably qualified and, where relevant, hold appropriate licenses;
- carry appropriate insurance (including worker’s compensation insurance);
- apply appropriate terms of employment for their own employees; and

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- Do not have a history of breaches of employment, industrial, discrimination or safety legislation or other relevant legislation.

Procedure for Dealing with Contractors

1) prior to the commencement of work

a) Consultation

[Insert appropriate person] is responsible for consulting with the contractor on relevant health and safety issues prior to the commencement of work to ensure that the workplace is safe for all people while the work is being carried out. Different health and safety issues will require discussion in different circumstances. Some potential health and safety issues include, but are not limited to:

- How, when and where the work is going to be carried out;
- The number of personnel that will be required to carry out the work;
- Potential risks involved in carrying out the work and the risk management strategies that will be implemented to eliminate or mitigate that risk as far as reasonably practicable;
- The qualifications and suitability of workers engaged in carrying out the task;
- Equipment and tools that will be brought into the workplace to carry out the work;
- Management of excessive dust, fumes and noise;
- Information that should be communicated to other workers about the work;
- The need for progress reports to be provided;
- Methods of reporting hazards and unsafe conditions;
- Emergency procedures;

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- Means for communicating between [the company] and the contractor;
- Steps to be taken by the contractor upon arrival; and
- Necessary documentation to be provided by the contractor (for example, Job Safety Analysis, Working With Children Check, licenses, permits, insurance details, registration details etc.).

If there is more than one contractor on site, [Insert appropriate person] is responsible for ensuring there is proper consultation between contractors and an understanding as to which contractor is responsible for which work.

b) Completion of Job Safety Analysis

[Insert responsible person] is responsible for ensuring that every contractor completes a Job Safety Analysis before commencing work. The Job Safety Analysis must, as a minimum, set out the following:

- Description of the work (including all the steps that make up the work);
- Description of any qualifications, certificates, licenses or skills that are required for the work;
- Identification of hazards and risks associated with the work;
- Description of control measures to eliminate or mitigate the hazards and risks; and
- Identification of the person responsible for implementing each control measure.

A Job Safety Analysis (risk assessment and method statement) must be carried out wherever there is a significant risk, regardless of the nature of the activity. The following areas are an example of work that always require such an Analysis:

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- Work at height
- Work in confined spaces
- Work with hazardous substances, including asbestos
- Construction
- Equipment servicing
- Work with live electrical equipment/high voltage equipment
- Lifting operations
- Work with pressure systems
- Hot work (including welding or cutting)
- Excavation
- Demolition

[Insert responsible person] is required to review the Job Safety Analysis prior to the commencement of work. [Insert responsible person] should contact the contractor if there are any concerns with the Job Safety Analysis.

c) Communication with other workers

[Insert appropriate person] is responsible for communicating relevant information to other workers about the work that will be performed by the contractor prior to the commencement of work. Potentially relevant information includes, but is not confined to:

- When and where the work is going to be carried out;
- The nature of the work to be carried out;
- Any significant hazards contractors may face while at work, e.g. asbestos, live electrical installations;
- The expected number of personnel that will be carrying out the work;

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- Any other works ongoing in the vicinity which may impact activities, health and safety;
- Safety measures or precautions that workers should exercise while the work is being performed; and
- The person to whom workers should report any potential health and safety concerns.

d) General

[Insert appropriate person] is responsible for ensuring that if he or she is absent during the process, a suitable deputy is appointed.

2) Upon arrival at the worksite

a) Certify the identity and qualifications of the contractor

[Insert appropriate person] is responsible for ensuring that contractors arriving at [company name]:

- Report to [insert appropriate place];
- Provide appropriate evidence of their identity (usually photo ID);
- Provide evidence of the appropriate licenses, insurances and other appropriate documentation, including risk assessments and method statements as necessary;
- Sign in as a visitor;
- Be provided with a visitor badge; and
- Be advised to sign out when leaving.

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b) Safety induction

[insert appropriate person] is responsible for ensuring that Contractors receive a safety induction upon arrival (or that a representative from the contracting organization has received an appropriate induction and is responsible for ensuring arrangements are in place for this to be cascaded to all staff who will be working on-site). During the safety induction, [insert appropriate person] must:

Advise the Contractor about:

- hazards on site (presented on a map/plan wherever possible);
- how to report hazards and unsafe conditions;
- Site rules and safety procedures;
- Any special equipment they may need to use;
- PPE;
- What to do in an emergency;
- The sound of any alarm and how to respond to it;
- Issues of lone working and the use of a buddy system; and
- the location of the restrooms and water drinking facilities;
- Provide the contractor with a map which clearly marks the evacuation points or physically takes the contractor to the evacuation points;
- Provide the contractor with an induction package consisting of:
 - ✓ The WHS General Policy;
 - ✓ Workplace Drug and Alcohol Policy (including any non-smoking policy);
 - ✓ Workplace Bullying Policy;
 - ✓ Anti-discrimination and EEO Policy;
 - ✓ Safe Work Procedure; and

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- ✓ WHS Consultation Statement.

[Insert appropriate person] must ensure a record of induction is kept.

c) Inspection of tools and equipment

[Insert appropriate person] must inspect the tools, equipment and protective devices used by the contractor to ensure that they are suitable and are in good order.

d) General

[Insert appropriate person] is responsible for ensuring that if he or she is absent during the process, a suitable deputy is appointed.

3) While the work is being carried out

[Insert appropriate person] is responsible for determining the level of supervision required to ensure work health and safety obligations are met.

[Insert appropriate person] is responsible for ensuring that, whilst work is being carried out, Contractors:

- Provide regular progress reports on the progress of the work to [insert person name];
- Inform [insert appropriate person] if the work will be completed earlier or later than expected;
- Notify [insert appropriate person] if a health and safety incident occurs or if a hazard or any risk to the health or safety of a person arises; and
- Update the Job Safety Analysis where required.

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While the work is being carried out by the contractor, [insert appropriate person] must also:

Notify all workers of any material change in the nature of the contractor's work that could affect their work or their health or safety; and

Regularly monitor the site for any risks to the health and safety of any person.

Things to watch out for include, but are not confined to:

- control measures are being implemented;
- appropriate protective clothing is being worn;
- all equipment is being used is in good repair; and
- Workers are not fatigued and are taking adequate breaks.

[Insert appropriate person] is responsible for ensuring that if he or she is absent during the process, a suitable deputy is appointed.

4) Upon completion of the work

Before the Contractor leaves, [insert appropriate person] must:

- Inspect the site to ensure that the work is completed to satisfaction and there are no risks to the health or safety of a person;
- Ensure the contractor has removed all rubbish and has left the area neat and tidy;
- Ensure that equipment such as fire extinguishers, evacuation plans and safety signs are reinstated;
- Obtain from the contractor a summary of the work completed and any follow-up steps required; and
- Ensure the contractor reports to [insert appropriate place] and signs out before they leave.

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Obligations

1. All Staff

All staff must:

- be mindful of the activities of contractors
- not take actions which may put contractors at risk
- inform [the company] if they observe contractors engaged in any activity which gives them cause for concern

2. Contractors

Contractors must:

- abide by all terms and conditions placed on them by [the company]
- abide by their own risk assessments and method statements
- ensure that all contractor's employees have received a suitable induction
- ensure any subcontractors are appropriately qualified and are managing risks through the use of method statements and risk assessments
- ensure any subcontractors receive an appropriate safety induction on the first arrival and at appropriate intervals thereafter
- Take all necessary action to protect workers' health and safety.
- inform [the company] of any changes they make to work plans, method statements or risk assessments
- Inform [the company] of any accidents or incidents occurring during the contract.