

BSBWHS514

MANAGE WHS COMPLIANCE OF CONTRACTORS

WORKBOOK

Participant name	
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FOR THE PARTICIPANT

Instructions

- You will complete written activities as outlined on the following pages. You must attempt all questions and provide enough detail in your responses to demonstrate your knowledge.
- The timeframe for these tasks will be established by your Assessor or Training Provider. Additional time may be allowed upon negotiation with the Assessor.
- You must complete all questions unsisted by the Assessor or other personnel but may refer to reference material as needed. All questions must be answered correctly for a 'Satisfactory' assessment outcome to be awarded.
- An oral examination may be allowed under certain circumstances, whereby your answers will be documented by another party.
- If any written questions are incomplete, or not answered satisfactorily will need to be completed again after further training support.
- If you answer a question incorrectly but modify your response, put your initials next to the written change (or the Assessor must initial a verbal change).

Resources required

Pen

FOR THE ASSESSOR

Instructions

- Where oral examination has occurred, ensure that this is acknowledged in writing (e.g. FT001 and Assessor Comments)
- All questions must be satisfactorily demonstrated by the Participant for a Satisfactory determination (indicated by an Assessor tick to the right of the question).
- Assessors are to complete marking in pen of a different colour to the Participant.
- If the Participant verbally modifies their response, write in the modified response verbatim and put your initials next to the written change.

ASSESSOR COMMENTS

As necessary, outline:

- Details on reattempts, alternative arrangements or reasonable adjustments made.
- Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

NOTE

At times, you will be provided with a specific business context to which you must respond, otherwise it is anticipated that you will use a workplace of your choosing (your own, or hypothetical) to provide the context to the task.

At all times, the responses in your assessment must reference **Australian** (Queensland or Federal) documentation, including legislation, regulations, codes of practice, standards and guidance publications. For example, in Queensland refer to

<https://www.worksafe.qld.gov.au/>

For the following activities, name a workplace that you wish to examine.

Name of workplace	Construction Skills Training Centre (CSTC)
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ACTIVITY 1

Identify the types of contractor-related compliance requirements that may be established through each of the following:

- Legislation and regulations (i.e. duties, rights and obligations of both contractors and management – including those relating to required resources and equipment)
- Tender documentation, including requirements for subcontracting
- Contractor selection processes and guidelines
- Contract documentation, including nature, scope and location of services to be provided, and requirements for subcontracting
- Induction processes

Legislation

Contractors, under the Work Health and Safety Act 2011 (Qld), are deemed to be a 'worker'. Under section 28 of the Work Health and Safety Act 2011 (Qld), workers have duties and obligations to:

- Take reasonable care for their own health and safety
- Take reasonable care for the safety of others
- Comply with the reasonable instructions of a Person Conducting Business or Undertaking (PCBU)
- Cooperate with the PCBU's reasonable policies or procedures for health and safety

To meet their obligations, workers should:

- Cooperate with and follow instructions from the PCBU regarding WHS
- Use personal protective equipment and clothing (PPE) that has been provided by the PCBU
- Report to the PCBU on any hazards or injury to harm or health

As part of fulfilling these rights under the legislation, workers are entitled to certain rights under the legislation. For example, the right to health and safety, as owed by others (including the PCBU).

Section 19 of the Work Health and Safety Act 2011 (Qld) provides that in holding the primary duty of care the PCBU should ensure, so far as is reasonably practicable, the health and safety of workers affected by the business or undertaking.

Legislation (continued)

This duty includes providing:

- Safe work environment
- Safe plant and structures
- Safe systems of work
- Safe use, handling and storage of plant and substances
- Adequate facilities
- Information instruction and training; and
- Monitoring of the workplace

The requirement of 'reasonable practicability' means what can be reasonably done to eliminate or reduce a risk, weighing up a number of factors. It does not mean that PCBU's are required to do everything possible, just what is reasonable. Refer to section 18 of the Work Health and Safety Act 2011 (Qld) for further detail.

Tender documents

Tender documentation can outline the following expectations on contractors

- Compliance with WHS legislation
- Performance standards, which may impose penalties if the contractor does not comply
- Obligations to develop and submit a WHS management plan and other documentation, such as: Reports (e.g. WHS performance); Incident reports; Safe Operating Procedures
- Specific monitoring of WHS requirements
- Site specific requirements (e.g. high risk activities, site meeting attendance, participation in site WHS committee)
- Limitations (if any) with regards to subcontracting

Contractor selection processes and guidelines

Contractor selection processes and guidelines are used to verify that contractors are able to demonstrate active implementation and operation of their WHS system. This is also known as the pre-qualification stage. During this process, the following records may be required to be submitted by the contractor:

- WHS management system (e.g. WHS policy, procedures, standards) which has been developed to suit the individual site and scope of work as contemplated in the contract
- Verification that the contractor is engaging workers with suitable qualifications/competencies to perform any high risk activities
- WHS audits, accident investigations, completed investigation reports and hazard inspection reports showing corrective actions and when they were completed
- Plant maintenance/inspection records, complete maintenance logs, daily equipment pre-start checks, risk assessments
- Health and Safety Committee minutes and attendance records
- Training records (including competencies and refresher training)

Contract documentation

Contract agreements will (at a minimum) outline the following points:

- Who the contractor is
- Where the contractor will be performing their services
- The work to be conducted, and how (e.g. whether subcontracting is acceptable)
- The responsibilities held by each party (i.e. the contractor and the PCBU)

Induction processes

To ensure each party understands their role, it is essential to review the legislative and organisational requirements applicable to contractors and relay this information to contractors via a contractor-specific WHS induction

As part of the induction, ensure that contractors are provided with access to the relevant WHS documentation to enable them to fulfil their role in a compliant manner

It is also essential to document that the contract has completed the WHS induction process. This ensures that you have met your responsibilities in the event of an incident

**Satisfactory
Outcome**



ACTIVITY 2

Identify and describe the WHS requirements found your organisational WHS policies, procedures, processes and systems for the following areas:

- Establishing and documenting WHS-related lead and lag KPIs relating to contracted services
- Management communicating WHS requirements to contractors and required personnel
- Agreeing on and documenting required response in relation to non-compliance

Establishing and documenting WHS KPIs relating to contracted services

Document(s)

e.g. CSTC Occupational Health and Safety Management System Policy and Procedures

Requirements

Section 2.7 outlines that sub-contractors are to undertake the following tasks. These would form part of the KPIs to observe contractor WHS compliance:

- To carry out their works in a safe manner;
- To be aware of and conduct themselves in accordance with the legislation and/or Safe Work Method Statements;
- To assist in maintaining plant and tooling in a safe working condition;
- Be ever mindful of their WHS duties in relation to themselves and their work associates;
- Act only in accordance with legislation and/or Safe Work Method Statements
- Provide, and comply with Safe Work Method Statements for activities undertaken for and on behalf of the CSTC Pty Ltd

Management communicating WHS requirements to required contractors and required personnel

Document(s)

e.g. CSTC Occupational Health and Safety Management System Policy and Procedures

Requirements

Section 1.0 outlines that it is the policy of CSTC to conduct its activities in such a way that the health, safety and wellbeing of employees, sub-contractors and the public are not in any way impaired or prejudiced as a result of working within or for the organisation. In doing so, CSTC shall provide information, instruction and training for employees and subcontractors to increase personal understanding of workplace hazards and to ensure proper supervision and involve them on WHS matters.

Section 2.7 outlines that sub-contractors are to report all WHS issues to the Occupation Health and Safety Advisor.

Section 4.3.4.2 outlines that all employees/contractors will be made aware of their requirements with regard to OHSMS requirements upon engagement through the CSTC Induction process.

Agreeing on and documenting required response in relation to non-compliance**Document(s)**

Via CSTC intranet, aXcelerate

Requirements

Section 2.7 outlines that sub-contractors are to undertake the following tasks where WHS non-compliances occur:

- To report all hazards, incidents or near misses to the Occupational Health and Safety Advisor; and
- Notify CSTC Pty Ltd of any incidents/hazards that occur whilst undertaking activities on projects for and on behalf of the CSTC Pty Ltd.

As part of these tasks, appropriate controls would be implemented to address non-compliance.

**Satisfactory
Outcome**



ACTIVITY 3

Consider how you would monitor contractor compliance within the workplace:

- Provide two (2) examples of lead KPIs and two (2) examples of lag KPIs that you might use when reviewing contractor services for compliance with WHS requirements.
- What methods should be used to identify and investigate contractor non-compliances with lead and lag WHS KPIs?
- Identify why you should discuss non-compliances with the contractor and how agreed responses to non-compliances might be recorded.

Review methods

Lead KPIs

e.g. Lead KPIs would be used to monitor whether WHS has been appropriately implemented. For example, determining whether contractors have been inducted and that their risk registers are updated/reviewed to schedule.

Lag KPIs

Lag KPIs would be used to monitor the effectiveness of implemented controls. For example, identifying the number of poor risk assessments and number of control failures.

Investigating non-compliances

Non compliances with lead WHS KPIs would be identified through an inspection or audit.

Non-compliances with lag WHS KPIs may be identified through incident reports.

Addressing non-compliance

Section 46 of the Work Health and Safety Act (Qld) identifies the requirement for workers to be consulted on matters relating to WHS so as to contribute to the decision-making process.

So that any decisions can be referenced at a later time, any agreed responses should be recorded in writing. This is confirmed in the Work Health and Safety Consultation, Cooperation and Coordination Code of Practice.

**Satisfactory
Outcome**



ACTIVITY 4

It is important to review WHS requirements in relation to contractors

- a) Who might you seek feedback from on revised WHS requirements and guidance?
- b) To which personnel would you distribute updated contractor WHS requirements?

Seeking feedback on revised WHS requirements and guidance

Section 46 of the Work Health and Safety Act (Qld) identifies the requirement for duty holders (e.g. PCBU, workers) to be consulted on matters relating to WHS so as to contribute to the decision-making process.

When drafting revisions to WHS requirements and guidance, you should refer to Codes of Practice.

Personnel to be notified of updated contractor requirements

All affected parties should be updated (e.g. contractors, PCBU, those involved in monitoring contractor WHS compliance).

Satisfactory
Outcome



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MANAGE WHS COMPLIANCE OF CONTRACTORS

QUIZ

Participant name	
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FOR THE PARTICIPANT
Instructions
ANSWERS - You will complete written questions as outlined on the following pages. You must attempt all questions and provide enough detail in your responses to demonstrate your knowledge. - It is anticipated that you should complete the assessment within one (1) hour, but additional time may be allowed upon negotiation with the Assessor. - You must complete all questions unassisted by the Assessor or other personnel. You may refer to reference material as needed. All questions must be answered correctly for a 'Satisfactory' assessment outcome to be awarded. - An oral examination may be allowed under certain circumstances, whereby your answers will be documented by another party. - Any written questions that are incomplete, or not answered satisfactorily will need to be completed again after further training support. - If you answer a question incorrectly but modify your response, put your initials next to the written change (or the Assessor must initial a verbal change).
Resources required
Pen

FOR THE ASSESSOR
Instructions
- Where oral examination has occurred, ensure that this is acknowledged in writing (e.g. FT001 and Assessor Comments) - All questions must be satisfactorily demonstrated by the Participant for a Satisfactory determination (indicated by an Assessor tick to the right of the question). - Assessors are to complete marking in pen of a different colour to the Participant. - If the Participant verbally modifies their response, write in the modified response verbatim and put your initials next to the written change.

ASSESSOR COMMENTS

As necessary, outline:

- Details on reattempts, alternative arrangements or reasonable adjustments made.
- Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

Q1. Which of the following documents might contain contractor WHS compliance requirements? Tick all that apply.

Answer	Choice	Possible Answers	☐
	✓	Contracts	
	✓	Induction material	
	✓	Legislation	
	✓	Organisational policies and procedures	
	✓	Selection processes and guidelines	
	✓	Tender documentation	

Q2. True or False (Tick your response): Management is always required to provide all resources and equipment to a contractor.

Answer		True	☐
	✓	False	

Q3. Which KPIs provide information about implementation? Tick your response.

Answer	Choice	Possible Answers	☐
		Lag KPIs	
	✓	Lead KPIs	

Q4. Which KPIs provide information about effectiveness? Tick your response.

Answer	Choice	Possible Answers	☐
	✓	Lag KPIs	
		Lead KPIs	

Q5. Which of the following contribute to the development of lead and lag KPIs? Tick all that apply.

Answer	Choice	Possible Answers	☐
	✓	Hazard identification	
	✓	Risk control	
	✓	Outcome analysis	

Q6. Which of the following documentation may be referred when investigating contractor WHS non-compliance? Tick all that apply.

Answer	Choice	Possible Answers	☐
	✓	Checklist at completion of induction	
	✓	Incident report form	
	✓	Inspection report	

Q7. Which actions may take place when addressing contractor WHS non-compliance? Tick all that apply.

Answer	Choice	Possible Answers	☐
	✓	Consultation with contractors	
	✓	Consultation with management	
	✓	Draft and seek approval to improve contractor WHS requirements across the organisation	
	✓	Document adjustments to WHS contractor compliance requirements	

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MANAGE WHS COMPLIANCE OF CONTRACTORS

PRACTICAL ASSESSMENT

Participant name	
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FOR THE PARTICIPANT

Instructions

- The tasks outlined on the following pages will require performance of tasks in a workplace activities, as a result of a structured activity set by an Observer in the workplace or a simulated activity set by your Assessor/Observer.
- The timeframe for these tasks will be established by your Assessor/Observer, in consideration of location conditions and industry requirements.
- You must complete a task unassisted by the Assessor or other personnel unless the steps note this assistance.
- You must attempt all tasks (and itemised steps) for a 'Satisfactory' assessment outcome to be awarded.
 - For an observation conducted that is incomplete, or without satisfactory performance, the observation will need to be completed again after further training support.

FOR THE ASSESSOR/OBSERVER

Instructions

- The following observation record should be used to judge and record your observations of the Participant as they complete the task(s) set. You must record your observations of the Participant's performance.
 - For each occasion, indicate the task performed and whether it was a simulation or workplace-based task.
 - Any simulated assessment must ensure the Participant still performs under workplace conditions which reflect industry standards.
 - In the comments, provide clear detail regarding the task that the Participant was required to do (e.g. PPE used, materials handled, attachments connected, plant types).
- All steps must be satisfactorily demonstrated by the Participant for a 'Satisfactory' determination (indicated by an Assessor tick to the right of each itemised step, or an Observer tick to the right of each itemised step, and confirmation by an Assessor in the Assessor Comments).
 - Where you have determined that one or more task steps have not been satisfactorily demonstrated, provide the Participant with additional support and outline details of such assistance in the Assessor/Observer Comments. Allow the Participant two (2) further opportunities to demonstrate the task again to allow an opportunity for a 'Satisfactory' assessment outcome to be achieved.
 - If after three (3) attempts the Assessor determines that the Participant cannot demonstrate the required steps, a 'Not Satisfactory' outcome is to be determined.

ASSESSOR COMMENTS: GENERAL

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is a vertical margin line on the left side, creating a narrow left margin. The paper appears to be from a notebook or a standard ruled document.

CSTC Pty Ltd_RTO#0699_v2-1_02/08/2024