

# BSBWHS408

Assist with effective WHS management of contractors



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## ASSESSMENT FOR BSBWHS408

|                                      |                                                                                  |
|--------------------------------------|----------------------------------------------------------------------------------|
| <b>Student name</b>                  |                                                                                  |
| <b>Date of assessment submission</b> | <a href="#">Click here to enter a date.</a>                                      |
| <b>Trainer/Assessor's name</b>       |                                                                                  |
| <b>Date of assessment marking</b>    | <a href="#">Click here to enter a date.</a>                                      |
| <b>Outcome for unit</b>              | <input type="checkbox"/> Competent<br><input type="checkbox"/> Not Yet Competent |

## TASK INSTRUCTIONS

- The assessment for this unit of competency consists of the following:
  - **A series of activities:** Some of these activities will require you to provide a response within this document, others will require you to gather evidence to demonstrate your knowledge and skills (overview below)
  - **Quiz:** You will be required to complete a series of questions to demonstrate your knowledge and skills.
  - **Practical task:** You will be required to have an observer attest to your knowledge and skills and sign a report to this effect.
- 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.

| ACTIVITY OVERVIEW                                                     | REQUIRED FOR SUBMISSION              |
|-----------------------------------------------------------------------|--------------------------------------|
| 1. Services provided by contractors                                   | ACTIVITY 1 Workbook response (below) |
| 2. Policies, procedures, processes, systems, practices and activities | A. Workbook response (below)         |
| 3. Legislative requirements                                           | B. Workbook response (below)         |
| 4. Developing, implementing and evaluating improvements               | C. Workbook response (below)         |

## ACTIVITIES

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

|                          |                                    |
|--------------------------|------------------------------------|
| <b>Name of workplace</b> | The Landscape Construction Company |
|--------------------------|------------------------------------|

- Identify two (2) on-site services that may be supplied by contractors to your workplace. For example:
  - D. Labour hire and temporary workers
  - E. Cleaning
  - F. Catering
  - G. Security
  - H. Maintenance
  - I. Repairs
  - J. Installations and alterations
- Explain the context, situation and arrangement of how these services are provided.
- Identify one (1) document that would support the contractor's contract
- K. Explain where contracts and other relevant contract documentation would be found.

| Name of Service 1 |
|-------------------|
|-------------------|

|                         |
|-------------------------|
| Playground Installation |
|-------------------------|

| Context, situation and arrangement of how service is provided |
|---------------------------------------------------------------|
|---------------------------------------------------------------|

In the context of the WHS Act, a contractor may be a subcontractor. TLCC have a number of subcontractors for playground installations for construction various projects.

Playground installers are provided with a contract on success on their quote and work will be done on the specific project site.

Upon request of the quote the subcontractor will provide

- Completed TLCC prequalification form
- rates to complete the job
- all safety documents (generic sample)
- company insurances
- ensure that any council inductions are done by workers that will be going to site (required to be eligible for the contract).

The playground installers will be required to provide project specific SWMS and safety documents if their quote is successful. Where we use subcontractors, they normally supply us with their management systems. Regardless, they must meet our system as a minimum.

Exception would be that for sole traders may not have one and so we allow them to work under ours.

Contractors are expected to supervise their own workers and be able to provide evidence of monitoring of compliance if asked.

Contractor's safety performance is continually monitored on site by the Site Manager.

| Supporting document and location |
|----------------------------------|
|----------------------------------|

|                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A system of preferred contractors has been instigated. Preference will be given to contractors who continually demonstrate a high standard of workmanship, safety, environmental and quality management. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**TLCC** will obtain relevant information regarding systems and documentation in place as well as insurances, licences or qualifications required to perform the work.

**Prequalification docs sent to suppliers and subcontractors such as -**

- TLCC Prequalification Form
- TLCC Supplier/ Subcontractor Guidelines
- TLCC WHS Policy
- Contractor Documentation Review

The guidelines and prequalification forms cover legislation, regulations, standards, code of practices and provides a guide for what is required from all contractors and their contractors within the time constraints provided.

The above documents are kept in an electronic folder with other documents required for TLCC prequalification and made available to all staff to use at time of setting up a new supplier or subcontractor. These are sent to contractors at tender stage, and completed documents returned are filed in specific subcontractor files and details entered into the contractor register. The register is monitored for non-conformances, required inductions and any expiry dates flagged for insurances, licences or other required documents.

These contractors are selected on a project basis and all documents must be site specific and will undergo document review and kept with project files and supplied to client upon request.

TLCC requires our suppliers and contractors to meet company requirements. TLCC will only use suppliers and contractors who meet our expectations. Suppliers and contractors are measured by their ability to provide the product or service required by TLCC with attention to:

1. The quality of service or product delivery;
2. Health, Safety and Environment planning and performance;
3. Responding to TLCC in a timely manner;
4. Willingness to provide prompt resolution to issues as they arise; and
5. Competitive pricing

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| <b>Name of Service 2</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Machine/ operators hire                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Context, situation and arrangement of how service is provided</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>TLCC have a number of plant and operator hire companies we use to complete our works on site.</p> <p>Machine and operator hire are set up in our system as an ongoing subcontractor and are eligible to work on all projects.</p> <p>Arrangement:</p> <ul style="list-style-type: none"> <li>- Completed TLCC prequalification form</li> <li>- rates to complete the job</li> <li>- all safety documents (generic sample)</li> <li>- company insurances</li> <li>- ensure that any council inductions are done by workers that will be going to site (required to be eligible for the contract).</li> </ul> <p>Where we use subcontractors, they normally supply us with their management systems. Regardless, they must meet our system as a minimum.</p> <p>Exception would be that for sole traders may not have one and so we allow them to work under ours.</p> <p>Contractors are expected to supervise their own workers and be able to provide evidence of monitoring of compliance if asked.</p> <p>Contractor's safety performance is continually monitored on site by the Site Manager.</p> <p>TLCC requires our suppliers and contractors to meet company requirements. TLCC will only use suppliers and contractors who meet our expectations. Suppliers and contractors are measured by their ability to provide the product or service required by TLCC with attention to:</p> <ol style="list-style-type: none"> <li>1. The quality of service or product delivery;</li> <li>2. Health, Safety and Environment planning and performance;</li> <li>3. Responding to TLCC in a timely manner;</li> <li>4. Willingness to provide prompt resolution to issues as they arise; and</li> <li>5. Competitive pricing</li> </ol> |
| <b>Supporting document and location</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <p><b>Prequalification docs sent to suppliers and subcontractors such as -</b></p> <ul style="list-style-type: none"> <li>- TLCC Prequalification Form</li> <li>- TLCC Supplier/ Subcontractor Guidelines</li> <li>- TLCC WHS Policy</li> <li>- Contractor Documentation Review</li> </ul> <p>The guidelines and prequalification forms cover legislation, regulations, standards, code of practices and provides a guide for what is required from all contractors and their contractors within the time constraints provided.</p> <p>The above documents are kept in an electronic folder with other documents required for TLCC prequalification and made available to all staff to use at time of setting up a new supplier or subcontractor. These are sent to contractors at tender stage, and completed documents returned are filed in specific subcontractor files and details entered into the contractor register. The register is monitored for non-conformances, required inductions and any expiry dates flagged for insurances, licences or other required documents.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

|                                  |                                                                                    |
|----------------------------------|------------------------------------------------------------------------------------|
| <b>Outcome for Activity 1</b>    | <input type="checkbox"/> Satisfactory<br><input type="checkbox"/> Not satisfactory |
| <b>Trainer/Assessor comments</b> |                                                                                    |

- Identify and describe the requirements of each of the following within your chosen organisation, with regards to contractor WHS arrangements:
1. WHS policy
  2. WHS procedure
  3. WHS process
  4. WHS system
  5. WHS practice and activity (i.e. common practice that is not outlined in one of the above documents)

#### Name of WHS policy

WHS Policy

#### Requirements

TLCC WHS Policy covers contractor arrangements for WHS through the below points:

We aim to lead the way in work health and safety (WHS) within our industry. Members of our Organisation apply quality and safety standards that have been established to protect our clients, our contractors, our workers and members of the public. The philosophy of our Organisation is to ensure that our work is undertaken safely, with a high level of integrity and quality.

The IMS has the objective of eliminating work-related injury and illness by:

- Conforming to legislative requirements, being the Qld Act, Regulations and Codes of Practice;
- Managing risks associated with our business activities;
- Providing and maintaining a work environment without risks to health and safety;
- Providing and maintaining safe plant and structures;
- Providing and maintaining safe systems of work;
- Ensuring the safe use handling and storage of plant structures and chemicals;
- Providing adequate facilities for the welfare at work of workers in carrying out work for **TLCC**, including ensuring access to those facilities;
- Providing any information training, instruction or supervision that is required;
- Monitoring the health of workers and the conditions at the workplace for the purpose of preventing illness or injury of workers arising from work performed by **TLCC**; and
- Establishing measurable objectives and targets to document and monitor our progress.

We request the personal cooperation and commitment of people working within our Organisation, whether they are workers, contractors or clients, to help us achieve our "Zero Harm" objective.

Please abide by our safety rules and report unsafe conditions. Also be involved and committed to a continuing program that will ensure a safe, healthy and hygienic environment for everyone. Your contribution is valued.

| Name of WHS procedure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| Subcontract Procedure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <ol style="list-style-type: none"> <li>5. When engaging a new Subcontractor they must complete Form TLCC Prequalification Form and return the completed form to the office. Once this form is received the form will be checked by Office Administration that the form has been correctly filled out. If the form is incomplete it is to be returned to the Subcontractor for completion.</li> <li>6. Once the completed Form is received by the Office Manager an Outlook reminder will be set for the expiry of all Subcontractors Certificates of Currency.</li> <li>7. Following the satisfactory completion of the Form the Project Manager will request the Subcontractor to supply by all appropriate site specific Safe Work Method Statements (SWMS) for each individual project that the Subcontractor/Plant Operator is working on. These SWMS's will be given to the Landscape Foreman (LF) who will ensure the SWMS's are completed by employees of the Subcontractor working onsite. The completed SWMS's will be held onsite by the LF until the completion of the project. Upon project completion, the completed SWMS's will be returned to the office for filing on the job file.</li> <li>8. For all Subcontract works under \$50,000, Subcontractor Agreement will be issued.</li> <li>9. If the value of Subcontractor's works exceeds \$50,000 then Minor Works Subcontract must be completed by the Subcontractor. The PM is responsible for preparing the Forms and issuing them to the Subcontractor. A copy of Form with the Subcontractors original signature must be kept on file in the office.</li> </ol> |

| Name of WHS process                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Management of Subcontractors                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Requirements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p><b>Selection</b></p> <p>Contractors will be selected on the basis of their WHS planning, implementation and track record.</p> <p>TLCC will obtain relevant information regarding WHS systems and documentation in place as well as insurances, licences or qualifications required to perform the work.</p> <p>For each project site specific health and safety documentation will be requested from the contractor, for example, documented safe systems of work like Safe Work Method Statements for high risk construction activities.</p> <p>Contractor Documentation Review may be used as a checklist and to record the review. While the technical aspects of documentation may not be able to be assessed due to the level of expertise available, use of Contractor Documentation Review, will assess the general level of compliance of the documentation and if required request for changes, modifications or additions to</p> |

sub contractors' safety plans, procedures or conduct, to ensure both the target of zero incidents and accidents and compliance with legislative and regulatory requirements. If the documentation assessed does not meet the requirements set out in the checklist, feedback will be given to the contractor asking for the documentation to be re-submitted with the required changes or additions.

#### **Performance**

Contractors are expected to supervise their own workers and be able to provide evidence of monitoring of compliance if asked.

Contractor's safety performance is continually monitored on site by the Site Manager. The Site Manager will bring any issues to the attention of the Contractors as they arise.

A formal audit will be completed by choosing a Contractor at random once a week and auditing their work area, staff and the implementation of their documentation.

A representative from the subcontracted Company shall be involved in the audit process and may be asked to complete the audit with the supervision of the Site Manager or Project Manager. This is recorded on the Contractor Compliance Weekly Checklist. Feedback regarding action required is given to the Contractor and closed out on the form.

#### **Failure to Comply**

Should the Contractor fail to comply with their contractual or health, safety or environmental obligations, TLCC shall notify the Contractor verbally and/or in writing.

The Contractor shall, upon being advised of its non-compliance, immediately take any corrective and preventative action required to comply. In the event the Contractor fails to initiate prompt corrective and preventative action, TLCC may take any and all actions provided for in the contract terms and conditions necessary to achieve compliance. The TLCC representative may implement disciplinary action as appropriate up to and including removal of any individual or contractor who fails to comply with safety requirements.

#### **Name of WHS system**

Safety Management Plan

#### **Requirements**

##### **TLCC Contractors**

##### **Requirements prior to commencing work on a Project**

Before commencing work on a TLCC project contractors are required to:

- Undertake risk assessments on work to be performed on the project;
  - Create a Project specific Safety Management Plan including Safe Work Method Statements (SWMS) and any relevant Codes of Practise for high risk construction work to be performed;
  - Submit the above information before commencing work;
  - Contractors and their employees will display evidence of General Construction Induction cards and any licenses relative to their work;
  - Contractors and their employees are to undergo a site-specific induction;
- Obtain required information from TLCC on underground service work and use this information when establishing control measures if applicable.

##### **Requirements Whilst Working on a Project**

- Contractors and their workers will follow all safety directions of their own, the

client and TLCC, including the requirements of the Safety Management Plan

- Contractors and their workers will follow the control measures directed in their submitted Company Safety Management Plan and SWMS;
- Contractors are responsible for ensuring that their workers are trained and competent in the work they are performing;
- Contractors are responsible for supervising the safety of their workers and ensuring that they and their workers follow safe work systems such as SWMS whilst doing high risk construction work;
- Contractors are responsible for ensuring that their workers are aware of the risks and control measures involved in the tasks undertaken;
- Ensure current SWMS are available while high risk construction work is being performed;
- Amend SWMS if there is a change to how the high risk construction work will be performed including any changes to control measures;
- Contractors are responsible for conducting tool box talks with their workers on SWMS and Work Instructions as directed in the SMP
- Contractors and their workers are responsible for reporting any incidents to the TLCC Project Manager regardless how small;
- Contractors and their workers are responsible for reporting any hazards and/or faulty equipment to the TLCC Project Manager;
- Contractors and their workers are to be mindful of the health and safety of others around them, including other tradespersons and the general public;
- Contractors are responsible for providing appropriate first aid for themselves and their workers as necessary on site;
- Obtain a work permit (authority) to perform asbestos removal, demolition, WAH >2m, hot works, confined space entry, live work and/or excavation;
- Ensure that chemicals are not brought onto site without notifying the TLCC representative, providing a copy of a current SDS and risk assessment for hazardous chemicals;

#### **Name of WHS practice and activity**

Daily Pre Start/ Risk Assessments/ Toolbox/ Site Inductions - will vary depending on activity and job – must be site specific

#### **Requirements**

Contractors are required to conduct and record daily prestart safety talks with their own workforce, or to attend **TLCC's** Daily Toolbox / Prestart Meeting.

#### **TLCC Contractors**

##### **Requirements prior to commencing work on a Project**

Before commencing work on a TLCC project contractors are required to:

- Undertake risk assessments on work to be performed on the project;
- Contractors and their employees will display evidence of General Construction Induction cards and any licenses relative to their work;
- Contractors and their employees are to undergo a site-specific induction;
- Obtain required information from TLCC on underground service work and use this information when establishing control measures if applicable.
- Contractors are responsible for ensuring that their workers are trained and competent in the work they are performing
- Contractors are responsible for ensuring any Permit to Works required or approval from authorities are received before works commence

|                                  |                                                                                    |
|----------------------------------|------------------------------------------------------------------------------------|
| <b>Outcome for Activity 2</b>    | <input type="checkbox"/> Satisfactory<br><input type="checkbox"/> Not satisfactory |
| <b>Trainer/Assessor comments</b> |                                                                                    |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>•</li> </ul> <p>Identify one (1) of each of the following document types which addresses contractor arrangements and where such documents can be found:</p> <ul style="list-style-type: none"> <li>• Act</li> <li>• Regulation</li> <li>• Code of practice</li> <li>• Standard</li> <li>• Guidance publication</li> </ul> <p>Identify a relevant excerpt or requirement from each document that assists with determining whether contractor arrangements within your nominated workplace (i.e. policies, procedures, processes, systems, practices and activities) are compliant.</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Example:**

|                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Name and location of Legislation (Commonwealth or State)</b>                                                                                   |
| <i>Work Health and Safety Act 2011 (Qld) found at <a href="http://www.legislation.qld.gov.au">www.legislation.qld.gov.au</a></i>                  |
| <b>Relevant excerpt/requirement for determining compliance</b>                                                                                    |
| <i>Section 7: A person is a worker if the person carries out work in any capacity for a PCBU, including work as a contractor or subcontractor</i> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Name and location of Legislation (Commonwealth or State)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Work Health and Safety Act 2011 (QLD) – <a href="http://www.legislation.qld.gov.au">www.legislation.qld.gov.au</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Relevant excerpt/requirement for determining compliance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p>The WHS Act 2011 requires contractors to deliver services and products while ensuring they meet the work health and safety requirements. They must take into consideration the safety of:</p> <ul style="list-style-type: none"> <li>• staff</li> <li>• other contractors</li> <li>• third parties</li> <li>• customers, at or near workplaces</li> </ul> <p>They must ensure their acts do not negatively affect the health and safety of others.</p> <p>Health and safety duty holders including a person conducting a business, as defined by the WHS Act, must:</p> <ul style="list-style-type: none"> <li>• consider safety in planning and developing projects</li> <li>• demonstrate an effective work health and safety (WHS) management system</li> <li>• consult with us about WHS risks and risk management</li> <li>• comply with contract specific WHS requirements</li> <li>• understand failure to achieve WHS standards can result in ending the contracted services</li> <li>• appoint people responsible for managing contractor activities</li> <li>• identify processes to deal with safety issues during the contract</li> </ul> <p>Contractors have specific duties of care under the WHS Act when:</p> <ul style="list-style-type: none"> <li>• supplying goods, material and substances</li> <li>• using dangerous goods and hazardous chemicals</li> </ul> |

- installing plant and equipment

Contractors also have a duty as workers under the WHS Act. A contractor must take reasonable care for their own health and safety.

By following the legislation set out in the WHS Act, a WHS practitioner is required to ensure that the organisation adopts a systematic approach to the selection, engagement, induction, monitoring and evaluation of contractors, so that it only engages: i. Competent providers of the goods and services they are contracted to provide; and ii. Contractors who are able to demonstrate their ability to work within the requirements of the Work Health and Safety (WHS) Act and Regulations, Approved Codes of Practice and relevant legislation and industry standards. (b) Develop communication processes that demonstrate consultation, cooperation and coordination between shared duty holders occurs, so far as is reasonably practicable.

| Name and location of Regulation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Work Health and Safety Regulation 2011 - <a href="http://www.legislation.qld.gov.au">www.legislation.qld.gov.au</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Relevant excerpt/requirement for determining compliance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p>Under section 37 a duty holder who implements a control measure to eliminate or minimise risks to health and safety must ensure that the control measure is, and is maintained so that it remains, effective, including by ensuring that the control measure is and remains—</p> <p>Fit for purpose<br/>Suitable for the nature and duration of the work, and<br/>Installed, set up and used correctly</p> <p>For example, a risk assessment is done or site specific SWMS are developed on site by the contractor for their works and it is the responsibility of the contractor to implement these controls and monitor the controls throughout the duration of the works to ensure it is maintained and effective. It is up to the company to check that the contractor has processes and procedures in place to meet the above requirements.</p> |

| Name and location of Code of Practice                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Work Health and Safety Consultation, Co-operation and Co-ordination Code of Practice 2011<br><a href="http://www.safeworkaustralia.gov.au">www.safeworkaustralia.gov.au</a>                                                                                                                                                                                                                                                                                                                                                                                                       |
| Relevant excerpt/requirement for determining compliance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>WHS ACT - Section 16:</b> The WHS Act requires that where more than one person has a duty for the same matter, each person retains responsibility for their duty in relation to the matter and must discharge the duty to the extent to which the person can influence and control the matter.</p> <p><b>WHS ACT - Section 46:</b> In these situations, each person with the duty must, so far as is reasonably practicable, consult, co-operate and co-ordinate activities with all other persons who have a work health or safety duty in relation to the same matter</p> |

The Code of Practice outlines that Consultation is a legal requirement and an essential part of managing health and safety risks.

The outcome of consulting, co-operating and co-ordinating activities with other duty holders is that you each understand how your activities may impact on health and safety and that the actions you each take to control risks are complementary.

The company must ensure that contractors have processes and procedures in place for consultation between the contractor's employees and all duty holders on site.

The duty requires each person with a health and safety duty to consult, co-operate and co-ordinate activities with each other person who has a duty over the same matter.

You should commence consultation, co-operation and co-ordinating activities with other duty holders when you become aware they are or will be involved in the work. This will usually be apparent from the circumstances, through contractual arrangements, presence on site or the need for others to be involved in the work.

The consultation should include: „what each will be doing, how, when and where and what plant or substances may be used „who has control or influence over aspects of the work or the environment in which the work is being undertaken „ways in which the activities of each duty holder may affect the work environment „ways in which the activities of each duty holder may affect what others do „identifying the workers that are or will be involved in the activity and who else may be affected by the activity „what procedures or arrangements may be in place for the consultation and representation of workers, and for issue resolution „what information may be needed by another duty holder for health and safety purposes „what each knows about the hazards and risks associated with their activity „whether the activities of others may introduce or increase hazards or risks „what each will be providing for health and safety, particularly for controlling risks „what further consultation or communication may be required to monitor health and safety or to identify any changes in the work or environment. This consultation will determine which health and safety duties are shared and what each person needs to do to co-operate and co-ordinate activities with each other to comply with their health and safety duty.

| <b>Name and location of Standard</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AS/NZS ISO_4801_2001 – Occupational health and safety Management Systems                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Specification with guidance for use<br>Standards Australia                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Relevant excerpt/requirement for determining compliance</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>A4.4.2 Training and competency</b><br>The organization should establish, implement and maintain procedures for identifying training needs. The organization should also require that contractors working on its behalf are able to demonstrate that their employees have the requisite training.<br>Management are responsible for determining the level of experience, competence and training necessary to ensure the capability of personnel.<br>Training should include induction training OHS competencies could be developed in different ways including using existing regulatory or statutory, industry or training organization competency standards |

At TLCC contractors must fulfil the below requirements before commencing work:  
 Construction blue/ white card  
 Licences and/or tickets for high risk works  
 Training in SWMS  
 Site specific inductions  
 Daily Pre Start toolboxes

These processes and procedures must be met within TLCC safety management system as well as contractors providing TLCC with their processes and procedures

### Name and requirement of Guidance Publication

Safe Work Method Statements  
 Found at [www.worksafe.qld.gov.au](http://www.worksafe.qld.gov.au)

### Relevant excerpt/requirement for determining compliance

A person conducting a business or undertaking (PCBU) carrying out any high risk work in connection with a construction project is required under the Work Health and Safety Regulation 2011 (PDF, 2.53 MB) (WHS Regulation) to:

- ensure that a safe work method statement (SWMS) is prepared before the proposed work starts
- make arrangements to ensure that the high-risk construction work is carried out in accordance with the SWMS
- ensure that a copy of the SWMS is given to the principal contractor before the work starts
- ensure that a SWMS is reviewed and revised if necessary
- keep a copy of the SWMS until the high-risk construction work is completed.

### CONTRACTORS

All duty holders involved in a high-risk work activity must make sure:

- the work is carried out in accordance with the SWMS
- if the work is not carried out in accordance with the SWMS, the work is: stopped immediately or as soon as it is safe to do so resumed in accordance with the statement
- all SWMSs are given to the principal contractor prior to work commencing
- SWMSs are kept so as to be readily available for inspection.

A PCBU (in consultation with workers who will be directly engaged in the high risk construction work) is best placed to prepare the SWMS because they understand the work being carried out and the workers undertaking the work and can ensure the SWMS is implemented, monitored and reviewed correctly.

TLCC have SWMS for high risk works but when particular tasks are contracted out, TLCC will request SWMS from the contractors for those specific works. For example working at heights.

All SWMS both TLCC and contractor will need to be trained to all involved in the job and signed off and kept on site for the duration of the project. SWMS need to be reviewed and if required revised and at these times, consultation is required to identify changes and ensure all parties are aware of any changes or have contributed to these SWMS.

|                                  |                                                                                    |
|----------------------------------|------------------------------------------------------------------------------------|
| <b>Outcome for Activity 3</b>    | <input type="checkbox"/> Satisfactory<br><input type="checkbox"/> Not satisfactory |
| <b>Trainer/Assessor comments</b> |                                                                                    |

For the purpose of improving contractor arrangements in your workplace, you are to develop a report (in the following structure), which evaluates current contractor practices and outlines improvements.

- **INTRODUCTION**

- a) Outline the background of your company, its role and purpose
- b) Briefly identify the role of contractors within the organisation (e.g. services provided)
- c) Identify what you wish to achieve by conducting a review and evaluation of current WHS arrangements for contractors

- **CURRENT PRACTICES FOR CONTRACTORS**

- d) Describe two (2) contractor arrangements in place at your organisation and how/where they are outlined.
- e) Identify the organisation's WHS policies, procedures, processes and systems with regards to contractors.

- **LEGISLATIVE REQUIREMENTS**

- f) Outline contractors' WHS duties under the legislation
- g) Identify contractors' WHS rights under the legislation
- h) Explain contractors' WHS obligations under the legislation

- **REFLECTION ON BEST PRACTICE**

- i) Identify examples of best practice in industry
- j) Compare best practice with current practice
- k) Identify areas for improvement

- **RECOMMENDATIONS**

- l) Propose improvements to address needs, explaining how they would meet best practice and/or legislative requirements
- m) Identify how proposed improvements could be implemented
- n) Outline how improvements could be evaluated for effectiveness

- **CONCLUSION**

- o) Explain the importance of WHS to your company
- p) Identify contractors' varying WHS duties, rights and obligations under the legislation
- q) Express the importance of improving practices

**TIPS:**

- r) Use the report template (below) and elaborate on the points above.
- s) Write in simple English. Remember that people from a range of backgrounds and abilities would be reading this document, such as health and safety committees, health and safety representatives, managers, supervisors, and PCBU's or their officers.
- t) Be sure to refer to supportive documents specifically (e.g. section numbers of legislation, reference best practice and WHS information and data) so that the reader could refer to the legislation for more information if they wanted to.

## - INTRODUCTION

The Landscape Construction Company (TLCC) specialize in delivering high quality landscape construction services all over Australia. TLCC specialize in both soft and hard landscape construction in public and private spaces for all levels of government as well as development companies and publicly listed international companies. TLCC focus on putting client's needs and wants first and are project outcome driven. TLCC aim to lead the way in work health and safety within our industry. The organisation applies quality and safety standards to protect clients, contractors, workers and members of the public. TLCC work in ways to ensure that work is undertaken safely, with a high level of integrity and quality and aim to achieve a "Zero Harm" objective. This is achieved by maintaining an Integrated Management System (IMS) which incorporates and enables compliance to the requirements of AS/NZS 4801:2001, and covers all activities of the company. The IMS has the objective of eliminating work-related injury and illness.

Occasionally, contractors are employed to support TLCC on our construction and maintenance sites. Contractor services vary depending on the scope of works for each project including but not limited to:

- Machine/ operator hire
- Installations – eg. Playground, shade sails, park furniture
- Electrical or plumbing services
- Labour Hire
- Concreting services
- Traffic Control
- Delivery of materials

Contractors are required to work strictly within the realms of TLCC's system. Our Organisation acknowledges responsibility for the health and safety of workers, contractors and visitors and provides adequate resources to meet the legislative requirements and the aims and objectives outlined in our WHS Policy and Safety Management Plan.

In order to enable TLCC to provide an excellent service we require suppliers and contractors to meet our company requirements. TLCC will only use suppliers and contractors who meet our expectations. Suppliers and contractors are measured by their ability to provide the product or service required by TLCC with attention to:

1. The quality of service or product delivery;
2. Health, Safety and Environment planning and performance;
3. Responding to TLCC in a timely manner;
4. Willingness to provide prompt resolution to issues as they arise; and
5. Competitive pricing

Recently Work Safe Qld advised that High-risk construction work and SWMS will be targeted by Regulator inspectors. Any non-compliances found may attract infringement notices and may be awarded as follows:

There are 240 infringement notice offences, with *fin*es ranging from \$144 to \$720 for individuals, and \$720 to \$3600 for a business.

A review and evaluation of current WHS arrangements for contractors was conducted to identify and propose improvements to workplace procedures, processes and practices to ensure:

- All contractor safety documents are in order and accessible for inspectors (including Permits to Work for high risk works, risk assessments, Daily Prestarts, Site specific inductions, Manuals, SDS for materials being used, DBYD, Licences and

training evidence, plant maintenance evidence and prestart checks, etc).  
 •All works are compliant with legislation, SWMS controls and Permit conditions.

By following the legislation set out in the WHS Act, a WHS practitioner is required to ensure that the organisation adopts a systematic approach to the selection, engagement, induction, monitoring and evaluation of contractors, so that it only engages: i. Competent providers of the goods and services they are contracted to provide; and ii. Contractors who are able to demonstrate their ability to work within the requirements of the Work Health and Safety (WHS) Act and Regulations, Approved Codes of Practice and relevant legislation and industry standards. (b) Develop communication processes that demonstrate consultation, cooperation and coordination between shared duty holders occurs, so far as is reasonably practicable.

Under the *Work Health and Safety Act 2011* (WHS Act), a contractor is a worker and is owed duties by the person conducting a business or undertaking (PCBU). Where PCBU's engage contractors to perform work, effective contractor procurement and management is essential to make sure WHS duties both to the contractors as workers, and third parties, are met.

#### **- CURRENT PRACTICES FOR CONTRACTORS**

TLCC currently has a contractor management system with arrangements for the following:

- Tender process
- Prequalification
- Pre-mobilisation and planning for work
- Mobilisation On-site Control and Monitoring

The contractor management system provides for the selection of contractors with appropriate safety controls, the exchange of information between the company and its contractors to facilitate the identification of hazards, risk management and the appropriate monitoring of the contractors engaged by the company.

These contractor arrangements are addressed in TLCC policies, procedures, processes and systems within the IMS such as:

- Safety Management Plan
- Consultation, cooperation and coordination
- Management of contractors
- Monitoring
- Selection
- Reporting – hazards, incidents
- Risk assessment
- Subcontractor Procedure
- Site Specific Induction
- TLCC Prequalification form
- Contractor Documentation Review
- Contractor Weekly Compliance Checklist
- Contractor Pre-Commencement Guidelines
- Site Inspection
- Daily Pre-Starts
- Toolboxes
- Risk Assessments
- Plant Pre-Start Weekly Checklist
- SWMS
- Quality Management Plan
- TLCC WHS Policy
- Permit to Work

- Verification of Competence

During the tender and prequalification process, at TLCC, Contractors are selected on the basis of their WHS planning, implementation and track record. TLCC will obtain relevant information regarding WHS systems and documentation in place as well as insurances, licences or qualifications required to perform the work. For each project site specific health and safety documentation will be requested from the contractor, for example, documented safe systems of work like Safe Work Method Statements for high risk construction activities. TLCC may also request evidence of quality, health, safety or environmental compliance to a recognised standard (i.e. certification to the Standards).

The contractor arrangement for selection is outlined in the TLCC Safety Management Plan, Quality Management Plan and Contractor Pre-Commencement Guidelines. TLCC WHS Policy and Pre-commencement guidelines are provided to the contractor at tender process to ensure contractors and their contractors are aware of all information required and within what time constraints it needs to be submitted by. It includes:

- All submissions – tickets, safety documents, etc.
- Site Safety requirements
- All required reports and forms contractors will be required to use while working with TLCC
- Other requirements such as council inductions, etc.

We currently have a number of jobs in the tender process or projects recently awarded to us and the estimators, contract administrators or project managers are undergoing the prequalification stage for contractors. New subcontractors are entered on to our subcontractor register and prequalification status, insurances, non-conformances and incidents and other information are tracked on the register. Contractor pre-commencement guidelines and pre-qualification form, along with other relative documents (HOIN Form, TLCC plans and policies, etc.) are sent to subcontractors for completion prior to commencement of work. On return, completed documents and submitted safety items (eg. SWMS, tickets/licenses, etc.) are reviewed and once approved subcontractor register is updated. On projects where subcontractors are utilised, the TLCC site supervisor monitors their performance and quality of work.

TLCC contractors are responsible for supervising the safety of their workers and ensuring that they and their workers follow safe work systems such as SWMS whilst doing high risk construction work. Although, TLCC site supervisors have the following responsibilities in regards to monitoring the overall contractors works:

- Ensuring that TLCC project works are undertaken in accordance with statutory WHS requirements, permits, licenses and the Project SMP
- Obtain risk assessments, SWMS and other relevant information from contractors
- Ensure that workers and contractors undergo the site specific induction training and they are trained in site specific requirements and information – checking all licences, tickets, plant pre starts, daily pre starts and other documents required for specific works at the time of induction and pre starts
- Ensure PC obligations and duties are met – if TLCC is PC
- Supervise Contractors to ensure construction activities are carried out in accordance with the SMP

- Complete a Weekly Contractor Checklist and submit to the office for records – any issues identified are added to the subcontractor register and HOIN register, where any corrective or preventative actions will be tracked until closed out

Additionally, Contractor's safety performance is continually monitored on site by the Site Manager or during site inspections conducted by TLCC HSQ Department.

#### - **LEGISLATIVE REQUIREMENTS**

The primary health and safety duty under the WHS Act is owed by a PCBU. This duty is to ensure—so far as is reasonably practicable—the health and safety of workers engaged in work for the business or undertaking. This duty is owed to a PCBU's workers, including contractors or subcontractors.

It is important that PCBUs have taken reasonable steps in preventing risks in the Under section 7 of the WHS Act, a worker is broadly defined as a person who carries out work in any capacity for a PCBU. This includes employees, outworkers, apprentices, trainees, students gaining work experience, volunteers, contractors, subcontractors and their employees.

'Workers' have duties under section 28 of the WHS Act which are subject to consideration of what is 'reasonable'. As a worker, while at work, you have a duty to:

- > take reasonable care for your own health and safety
- > take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
- > comply, so far as you are reasonably able, with any reasonable instruction given by the PCBU—to help to comply with the WHS Act and/or Work Health and Safety Regulations 2011
- > cooperate with any reasonable policy or procedure of the PCBU relating to health and safety at your workplace.

Workers, should be proactive in recognising potential hazards in their workplace and reporting those hazards to a supervisor, manager or the work health and safety department. It is important that you are familiar with the workplace procedures that outline the actions you need to take when reporting an incident. If a worker is involved in or witnesses a health or safety incident in the workplace, they need to ensure it is reported through the appropriate channels as soon as possible after it occurs.

**WHS ACT - Section 16:** The WHS Act requires that where more than one person has a duty for the same matter, each person retains responsibility for their duty in relation to the matter and must discharge

the duty to the extent to which the person can influence and control the matter.

**WHS ACT - Section 46:** In these situations, each person with the duty must, so far as is reasonably practicable, consult, co-operate and co-ordinate activities with all other persons who have a work health or safety duty in relation to the same matter

The Code of Practice for Work health and Safety Consultation, Cooperation and Coordination outlines a systematic approach for facilitating consultation and participation of WHS at a workplace. Contractor and PCBUs work activities may overlap and interact at particular times. When they share a duty, for example, a duty to protect the health and safety of a worker, or are involved in the same work, they will be required to consult, cooperate and coordinate activities with each other so far as is reasonably practicable.

Contractor rights include:

- > right to refuse unsafe work
- > - right to be consulted in the workplace during the decision-making process

regarding their health and safety participating in consultation  
 > notifying health and safety issues  
 > the duties owed to contractor by the PCBU.

A PCBU needs to ensure that the contractor has the specified knowledge it claims to have, that they have appropriate safety systems in place and that, so far as it is possible, to test the contractor is complying with their systems.

Principal Contractors are required to obtain Permit to Work for High Risk Works before commencing work in these conditions such as Hot Works, Excavations. High risk works also required SWMS by contractors before commencing.

Ultimately, a person conducting a business or undertaking will need to balance its obligations under the legislation with ensuring that it does not improperly interfere with the contractor relationship and otherwise take on responsibilities that it has properly delegated to the contractor.

#### **- REFLECTION ON BEST PRACTICE**

When managing contractors and their arrangements, the best practice would be to review all safety documentation that is received by the contractor at prequalification stage and documents received by contractors as well as our company's site supervisor or project manager throughout the project. The use of the tiered approach can be a huge help when evaluating and conducting the prequalification stage. Contractor WHS documents will fall into one of the below categories:

Tier 1 – A contractor with a fully developed Safety Management System – certified as complying with AS/NZS: 4801 Occupational Health and Safety Systems

Tier 2 – A contractor with an internally developed Safety Management System that meets the AS/NZS: 4801 but has not been certified

Tier 3- A contractor with little or no evidence of a Safety Management System.

When seeking tenders for a project the tender request should stipulate documentation that will meet the WHS requirements of the WHS Act and Regulations, as well as the policies of the company.

WHS Plan – scope and type of work, demonstrate integration of WHS requirements with the project, procedures, practise and safety management of the project.

This also ensures that Contractor arrangements cover all requirements including:

- Contract engagement
- Specific workplace
- The role and hierarchy of control at the site
- The work and the manner in which it is conducted

When managing contractors, and depending on the contract, and nature of the work and risks, some things to consider are:

- exercising due diligence in assessing and appointing the contractor, including ensuring that they have sufficient skills, expertise and resources to carry out the contract safely;

- identifying where you are relying on the contractor's specialized skills and expertise and particularly where the principal does not have the skills and expertise itself;
- providing the contractor with information known in relation to the hazards associated with the contract and asking the contractor to address how it will manage those hazards;
- ensuring the contractor has in place a safe system of work and effective health and safety management systems;
- having the contractor provide regular reporting on compliance (including in relation to training, competencies, hazard identification and analysis, incident reporting etc);
- provide for a system of internal and independent audits and reporting on compliance with audit recommendations;
- acting immediately and proactively on identified breaches, incidents or identified unsafe practices;
- creating contractual obligations on compliance with legislation; discharging obligations and providing a safe and healthy working environment;
- establishing safety key performance indicators; and
- providing for a system on consultation, co-operation and co-ordination in relation to safety matters.

TLCC currently have in place a process and a number of documents to use for the prequalification stage of contractors as mentioned earlier in this report. Although TLCC have these in place to be reviewed by the Directors or delegated representative, not all contractors undergo this process and safety documents are not carefully evaluated. TLCC need to ensure that the contractor has the specified knowledge it claims to have, that they have appropriate safety systems in place and to test the contractor is complying with their systems by site inspections and monitoring on site. The use of the contractor documentation reviews and checklists may need to be considered by management as a compulsory part of contractor prequalification and on-site monitoring. This will eliminate any issues TLCC may have with providing councils or other clients with safety documents, any issues during client reviewing of TLCC and our contractor's safety documents which we are continuously having to amend.

If contractor documents are meeting requirements at the initial tender stage and TLCC have processes in place to identify any contractors who fail to meet our expectations whether it be during the prequalification stage or during the project as a hazard, incident, non-conformance. TLCC will communicate the problem to the contractor and support rectification to ensure that TLCC expectations are met.

## **- RECOMMENDATIONS**

During recent reviews of TLCC WHS Contractor documents prior I was able to identify a number of improvements to be implemented to meet legislative requirements or best practice:

- TLCC subcontract procedure amended to remove forms that are superseded and no longer part of the subcontract procedure
- TLCC Contractor Pre-Commencement Guidelines amended to include specific council induction requirements
- Guidelines document amended to add Excavations to section on requirements for High-Risk Works. This includes SWMS, risk assessment and Permit to Work requirements

In addition to the above changes, the following was done to identify any improvements:

- Review of current legislation, codes of practices and standards
- Review of WHS statistics for subcontractors – lag indicators
- Review of WHS Statistics – lag indicators
- Review of site inspections and safety documentation

Improvements identified:

- Checking TLCC SMP and other contractor safety documents for procedures and processes currently used
- Lack of evidence for contractor documentation review prior to awarding works to contractors – this shows that safety documentation is not checked thoroughly at time of tender
- Lack of WHS documentation regarding contractors collected during projects
- Very little reviews of Standards or WHS systems of contractors

Improvements could be implemented by:

- More emphasis on how important safety documents and statistics are to record for contractors
- More training internally within TLCC to demonstrate the importance of WHS legislation and safety documents. – to ensure compliance and contractors are meeting their WHS systems on site
- More awareness and training of Principle Contractor procedures
- More reviews at tender stage/ prior to commencement of work – this needs to be trained to all TLCC Construction Office staff
- More onsite checks of safety documents/ licences/ tickets/ qualifications – site inductions need to be correctly documented
- Need to monitor contractor register to ensure all insurances are up to date

How implemented –

Training

Toolboxes

Consultation and participation in feedback and opinions by TLCC employees as well as selected contractors.

Procedures and processes updated and presented to all involved

Prequalification process to include – induction checklist for preparation of site induction

The above proposed improvements could be evaluated and monitored for effectiveness by:

- Performance monitor – on site and through WHS Statistics – lag indicators
- Remind all site supervisors that is required to choose a subcontractor on site weekly and complete the Weekly Contractor Compliance Checklists and return to the office for review
- Make the Contractor Documentation Review document compulsory for all new subcontractors at tender and prequalification stages
- Review checklists more thoroughly and ensure site supervisors are completing safety documentation to include subcontractor information, this would include site inductions, daily pre-starts, risk assessments
- Request more compliance documents from subcontractors throughout the project

- Regularly monitor – subcontract register and HOIN register for non-conformances or subcontractor WHS issues, this includes following up on corrective actions
- Monitor training register to ensure council inductions, licences, tickets, etc are up to date
- Site inspections conducted by TLCC
- Review site inspections conducted by contractors
- Review accident and incident reports

The above documents and registers would show any compliance issues or other issues that may need to be addressed and would show whether our contractor arrangements are effective or not.

In order to ensure that TLCC conforms to legislative requirements, being either Acts, Regulations and other industry requirements such as Codes of Practices, Australian Standards, or industry best practice it is essential that current requirements be identified and easily accessed.

An assessment of relevant legislation, codes of practice and Australian and New An evaluation of the legislation will be undertaken periodically to ensure that TLCC continues to comply.

## **- CONCLUSION**

The philosophy of our organisation is to ensure that our work is undertaken safely. We aim to lead the way in work health and safety within our industry. WHS is extremely important in our company because of the level of risks involved in different tasks our workers are required to do. Field staff everyday are completing tasks that can involve heavy lifting, machinery, tools or manual handling. It is important to develop, implement, evaluate and improve health and safety policies and procedures within our company so that it will result in a healthy work place for workers or other persons by ensuring compliance with the requirements under WHS legislation.

Under the *Work Health and Safety Act 2011* (WHS Act), a contractor is a worker and is owed duties by the person conducting a business or undertaking (PCBU). Where PCBUs engage contractors to perform work, effective contractor procurement and management is essential to make sure WHS duties both to the contractors as workers, and third parties, are met.

Therefore, it is important for TLCC to continuously improve practices to ensure TLCC and contractors are meeting their responsibilities including:

- Undertaking their works conforming with the Contract and Project WHS requirements
- Supplying product that conforms with the Contract and Project safety requirements
- Meeting their WHS obligations as per legislation.

TLCC also needs to continuously improve practices with regard to contractors to ensure compliance with WHS legislation, meet changing workplace requirements, policies, procedures, processes and systems to protect workers and all persons from harm and provide a comfortable, safe environment in which to perform all duties. Integrating health and safety requirements into contractor procurement and management prevents injury and helps fulfil health and safety obligations.

|                                  |                                                                                    |
|----------------------------------|------------------------------------------------------------------------------------|
| <b>Outcome for Activity 4</b>    | <input type="checkbox"/> Satisfactory<br><input type="checkbox"/> Not satisfactory |
| <b>Trainer/Assessor comments</b> |                                                                                    |

|             |
|-------------|
| <b>QUIZ</b> |
|-------------|

| QUESTIONS                                                                                                                                                                                                                                                                                                                                                                                                                                   | CORRECT                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| <ul style="list-style-type: none"> <li>Which of the following services are more likely to be supplied by contractors? Select all that apply.               <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Repair work</li> <li><input checked="" type="checkbox"/> Installation of equipment</li> <li><input type="checkbox"/> Fire wardens</li> <li><input type="checkbox"/> Management</li> </ul> </li> </ul> | <input type="checkbox"/> |
| <ul style="list-style-type: none"> <li>The definition for 'worker' under the <i>Work Health and Safety Act 2011</i> (Qld) includes contractors.               <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> True</li> <li><input type="checkbox"/> False</li> </ul> </li> </ul>                                                                                                                                | <input type="checkbox"/> |
| <ul style="list-style-type: none"> <li>As contractors are not employees, they are not required to be consulted with regards to WHS matters.               <ul style="list-style-type: none"> <li><input type="checkbox"/> True</li> <li><input checked="" type="checkbox"/> False</li> </ul> </li> </ul>                                                                                                                                    | <input type="checkbox"/> |
| <ul style="list-style-type: none"> <li>Due to the different nature of contractor arrangements, contractors may be required to have a separate workplace induction.               <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> True</li> <li><input type="checkbox"/> False</li> </ul> </li> </ul>                                                                                                             | <input type="checkbox"/> |
| <ul style="list-style-type: none"> <li>All information relevant to a contractor must be exclusively included in their contract.               <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> True</li> <li><input type="checkbox"/> False</li> </ul> </li> </ul>                                                                                                                                                | <input type="checkbox"/> |

|                                  |                                                                                    |
|----------------------------------|------------------------------------------------------------------------------------|
| <b>Outcome for Quiz</b>          | <input type="checkbox"/> Satisfactory<br><input type="checkbox"/> Not satisfactory |
| <b>Trainer/Assessor comments</b> |                                                                                    |

**PRACTICAL TASK**

You are required to have a suitable observer verify your ability to complete the following tasks. These tasks may be simulated (using the handouts provided) or real.

| TASKS                                                                                                                                                                                                                                                                                                   | VERIFIED                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1. Access contracts (and other relevant contract documentation, information and data) to:<br>u) Identify the services supplied by contractors<br>v) WHS arrangements relevant to contractors<br>w) Identify contractor WHS workplace policies, procedures, processes, systems, practices and activities | <input type="checkbox"/>                                                               |
| 2. Compare contractor WHS policies, procedures, processes, systems, practices and activities with requirements under WHS legislation.                                                                                                                                                                   | <input type="checkbox"/>                                                               |
| 3. Consider best practice/legislative requirements and identify any areas of improvement for contractor WHS policies, procedures, processes, systems, practices and activities.                                                                                                                         | <input type="checkbox"/>                                                               |
| 4. Develop potential improvements to contractor WHS policies, procedures, processes, systems, practices and activities – outlining requirements for implementation and evaluation of these improvements.                                                                                                | <input type="checkbox"/>                                                               |
| 5. Develop an electronic presentation outlining your findings, and present this to the PCBU.                                                                                                                                                                                                            | <input type="checkbox"/>                                                               |
| <b>Name of observer</b>                                                                                                                                                                                                                                                                                 |                                                                                        |
| <b>Role of observer</b><br>(Confirm their suitability to sign)                                                                                                                                                                                                                                          | <input type="checkbox"/> Trainer/Assessor<br><input type="checkbox"/> Other (specify): |
| <b>Phone number of observer</b>                                                                                                                                                                                                                                                                         |                                                                                        |
| <b>Email address of observer</b>                                                                                                                                                                                                                                                                        |                                                                                        |
| <b>Signature of observer</b>                                                                                                                                                                                                                                                                            |                                                                                        |
| <b>Date</b>                                                                                                                                                                                                                                                                                             | Click here to enter a date.                                                            |
| <b>Comments</b>                                                                                                                                                                                                                                                                                         |                                                                                        |

|                                   |                                                                                    |
|-----------------------------------|------------------------------------------------------------------------------------|
| <b>Outcome for Practical Task</b> | <input type="checkbox"/> Satisfactory<br><input type="checkbox"/> Not satisfactory |
| <b>Trainer/Assessor comments</b>  |                                                                                    |