

BSBWHS418

ASSIST WITH MANAGING WHS COMPLIANCE OF CONTRACTORS

WORKBOOK

Participant name

FOR THE PARTICIPANT

Instructions

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

Resources required

Pen

FOR THE ASSESSOR

Instructions

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

ASSESSOR COMMENTS

As necessary, outline:

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

NOTE

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

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

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

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

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

- a) Identify two (2) on-site services that may be supplied by contractors to your workplace. For example:
 - Labour hire and temporary workers
 - Cleaning
 - Catering
 - Security
 - Maintenance
 - Repairs
 - Installations and alterations
- b) Explain the following:
 - Context and situation of how these services would be required
 - Location of the work required
 - The process and stakeholders involved in the arrangement of these services
- c) Identify one (1) document that would support the contractor's contract
 - Explain where contracts and other relevant contract documentation would be found.

Name of Service 1

Cleaning

Context, situation, location and arrangement of how service is provided

Cleaners are contracted to maintain the office areas after hours.

Supporting document and location

The contact person for cleaning arrangements is the Chief Administrative Services Officer. As such, she would possess the details of their contract.

Name of Service 2
Training
Context, situation, location and arrangement of how service is provided
There are some areas for which contractors are hired to deliver and assess. This may be onsite and offsite. These trainers must maintain their training and assessment qualification and also hold insurance.
Supporting document and location
Trainers who are contractors have their working arrangements outlined in a contract, which is kept under a locked file in hard copy and electronically.

Satisfactory
Outcome



ACTIVITY 2

Identify and describe the requirements of each of the following within your chosen organisation, with regards to contractor WHS arrangements (including induction processes):

- a) WHS policy
- b) WHS procedure
- c) WHS process
- d) WHS system
- e) WHS practice and activity (i.e. common practice that is not outlined in one of the above documents)

Name of WHS policy

CSTC Occupational Health and Safety Management System Policy and Procedures

Requirements

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

Name of WHS procedure

CSTC Occupational Health and Safety Management System Policy and Procedures

Requirements

Section 3.1 outlines that all staff and contractors are required to successfully complete the 'Work Safely in the Construction Industry' (White Card) program.

Appendix B provides the structure for the SWMS that contractors will be required to use.

Name of WHS process

CSTC Occupational Health and Safety Management System Policy and Procedures

Requirements

Section 2.7 outlines that sub-contractors are to:

- To carry out their works in a safe manner;
- To be aware of and conduct themselves in accordance with the legislation and/or Safe Work Method Statements;
- To assist in maintaining plant and tooling in a safe working condition;
- To report all hazards, incidents or near misses to the Occupational Health and Safety Advisor; and
- Be ever mindful of their WHS duties in relation to themselves and their work associates;
- Act only in accordance with legislation and/or Safe Work Method Statements
- Provide, and comply with Safe Work Method Statements for activities undertaken for and on behalf of the CSTC Pty Ltd; and
- Notify CSTC Pty Ltd of any incidents/hazards that occur whilst undertaking activities on projects for and on behalf of the CSTC Pty Ltd.

Name of WHS system

CSTC Occupational Health and Safety Management System Policy and Procedures

Requirements

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

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

Name of WHS practice and activity

Sub-Contractor Site Induction Form

Requirements

In conjunction with the Sub-Contractor Site Induction form, sub-contractors would be required to have read and understood the 'conditions of entry to site' documentation prior to signing in.

The person who has called the contractor to be on site is required to induct the contractor into CSTC's emergency evacuation procedures.

**Satisfactory
Outcome**



ACTIVITY 3

Identify one (1) of each of the following document types which addresses contractor arrangements and where such documents can be found:

- a) Act
- b) Regulation
- c) Code of practice
- d) Guidance publication

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.

Example:**Name and location of Legislation (Commonwealth or State)**

Work Health and Safety Act 2011 (Qld) found at www.legislation.qld.gov.au

Relevant excerpt/requirement for determining compliance

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

Name and location of Legislation (Commonwealth or State)

Work Health and Safety Act 2011 (Qld) found at www.legislation.qld.gov.au

Relevant excerpt/requirement for determining compliance

Section 7 outlines that a person is a worker if the person carries out work in any capacity for a PCBU - and this includes work as a contractor or subcontractor.

As such, under Section 19 of the Act, a PCBU must ensure, so far as is reasonably practicable, the health and safety of workers.

Name and location of Regulation

Work Health and Safety Regulation 2011 (Qld) found at www.legislation.qld.gov.au

Relevant excerpt/requirement for determining compliance

Section 39 outlines that a PCBU must ensure that information, training and instruction provided to a worker is suitable and adequate, having regard to the nature of the work carried out by the worker, the nature of the risks associated with the work and the control measures implemented.

Name and location of Code of Practice
The Work Health and Safety Consultation, Co-operation and Co-ordination Code of Practice 2011 found at www.worksafe.qld.gov.au
Relevant excerpt/requirement for determining compliance
Section 1.1 outlines that a PCBU must consult, so far as is reasonably practicable, with contractors and sub-contractors and their employees, on-hire workers, volunteers and any other people who are working for you and who are directly affected by a health and safety matter.

Name and requirement of Guidance Publication
Quality leadership practices in work health and safety from www.worksafe.qld.gov.au
Relevant excerpt/requirement for determining compliance
Risk assessments should be carried out regularly and in an effective way by people with the required knowledge and expertise, involving the workers concerned. Where necessary, training should be provided in the use of risk assessments. The results of risk assessments should be analysed thoroughly and appropriate action implemented.

**Satisfactory
Outcome**



ACTIVITY 4

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

1.0 INTRODUCTION

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

2.0 CURRENT PRACTICES FOR CONTRACTORS

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

3.0 LEGISLATIVE REQUIREMENTS

- Outline contractors' WHS duties under the legislation
- Identify contractors' WHS rights under the legislation
- Explain contractors' WHS obligations under the legislation

4.0 REFLECTION ON BEST PRACTICE

- Identify examples of best practice in industry
- Compare best practice with current practice
- Identify areas for improvement

5.0 RECOMMENDATIONS

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

6.0 CONCLUSION

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

TIPS:

- Use the report template (below) and elaborate on the points above.
- 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 PCBUs or their officers.
- 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.

2.0 INTRODUCTION

CSTC is registered training organisation which endeavours to provide training for workers in the building and construction industry. CSTC strives to be recognised as a learning centre of excellence for vocational education and training.

As part of fulfilling its duties, CSTC undertakes the services of a variety of contractors - from those providing training and assessment, to those performing duties around the office (such as cleaners and electricians). The details of their contractor arrangements are found within their contracts, which are held by CSTC.

As part of CSTC holding the highest possible standards of work health and safety, it is essential that contractor arrangements, with respect to work health and safety, are reviewed to ensure their effectiveness.

2.1 CURRENT PRACTICES FOR CONTRACTORS

Two key areas that CSTC hires contractors for include training/assessing and cleaning. Contract Trainer/Assessors are hired to deliver/assess both onsite and offsite. They are required to maintain their training and assessment qualification, as well as hold insurance. Contract Trainer/Assessors have their working arrangements outlined in a contract, which is kept under a locked file in hard copy and electronically.

Cleaners are contracted to maintain the office areas after hours. The contact person for cleaning arrangements is the Chief Administrative Services Officer. As such, she possesses the details of their contract.

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

Section 2.7 of CSTC's WHSMS outlines that sub-contractors are to:

- To carry out their works in a safe manner
- To be aware of and conduct themselves in accordance with the legislation and/or Safe Work Method Statements
- To assist in maintaining plant and tooling in a safe working condition
- To report all hazards, incidents or near misses to the Occupational Health and Safety Advisor;
- Be ever mindful of their WHS duties in relation to themselves and their work associates;
- Act only in accordance with legislation and/or Safe Work Method Statements
- Provide, and comply with Safe Work Method Statements for activities undertaken for and on behalf of the CSTC Pty Ltd; and
- Notify CSTC Pty Ltd of any incidents/hazards that occur whilst undertaking activities on projects for and on behalf of the CSTC Pty Ltd.

Section 3.1 of CSTC's WHSMS outlines that all staff and contractors are required to successfully complete the 'Work Safely in the Construction Industry' (White Card) program. Further, Section 4.3.4.2 outlines that all employees/contractors will be made aware of their requirements through the CSTC Induction process.

2.2 LEGISLATIVE REQUIREMENTS

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

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

To meet their obligations, workers should:

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

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

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

This duty includes providing:

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

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

2.3 REFLECTION ON BEST PRACTICE

In a case study of Leighton Contractors undertaken by the Queensland WHS regulator, Work Health and Safety Queensland, best practices were identified for WHS contractors to participate in a holistic WHS strategy. Leighton Contractors used occupational physicians to assess each role to gather information on all aspects of a task. Once this process was complete, criteria were developed for rating risks into low, medium and high categories. This criterion was then linked with a pre-employment medical check to identify any tasks that may have proven difficult on a case by case base. Since the establishment of the risk rating, Leighton Contractors identified that there have been zero claims for workers in the first three to six months of employment.

CSTC abides by this, to some extent by implementing Safe Work Method Statements that all workers must abide by. CSTC also ensures that sub-contractors have read and understood the 'conditions of entry to site' documentation prior to signing in. The person who has called the contractor to be on site is also required to induct the contractor into CSTC's emergency evacuation procedures. Consequently, CSTC's incident report rates are quite low.

2.4 RECOMMENDATIONS

To improve its practices, CSTC may wish to look into pre-employment medical checks and align these with worker-based risk assessments so as to extend their approach in line with best practice demonstrated by other workplaces. In doing so, CSTC will be upholding their legislative requirements. This would be an appropriate approach when dealing with contractors who regularly visit the workplace and could be a part of the induction process.

To determine whether such improvements are effective, CSTC should compare the level of incidents prior to and after such procedures have been implemented. Contractors should also be consulted for their feedback.

2.5 CONCLUSION

As part of CSTC's aim of being a centre of excellence, CSTC not only trains students about the importance of WHS, but also ensures that it practices what it preaches. As outlined in the legislation, CSTC (as a PCBU) and its workers have duties to ensure that workplace health and safety is recognised - and each party has a role in upholding it.

As part of maintaining compliance, CSTC reviews its contractor arrangements. CSTC addresses staff needs and amends its practices, as required. In doing so, CSTC ensures the highest level of safety in the workplace for all workers.

**Satisfactory
Outcome**



BSBWHS418 ASSIST WITH MANAGING WHS COMPLIANCE OF CONTRACTORS

QUIZ

Participant name	
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FOR THE PARTICIPANT

Instructions

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

Resources required

Pen

FOR THE ASSESSOR

Instructions

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

ASSESSOR COMMENTS

As necessary, outline:

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

Q1. Which of the following services are more likely to be supplied by contractors? Tick all that apply.

Answer	Choice	Possible Answers	☐
	☒	Repair work	
	☒	Installation of equipment	
	☐	Fire wardens	
	☐	Management	

Q2. True or False (Tick your response): The definition for 'worker' under the *Work Health and Safety Act 2011 (Qld)* includes contractors.

Answer	☒	True	☐
	☐	False	

Q3. True or False (Tick your response): As contractors are not employees, they are not required to be consulted with regards to WHS matters.

Answer	☐	True	☐
	☒	False	

Q4. True or False (Tick your response): Due to the different nature of contractor arrangements, contractors may be required to have a separate workplace induction.

Answer	☒	True	☐
	☐	False	

Q5. Which of the following documentation may be referred when investigating contractor WHS non-compliance? Tick all that apply.

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

Q6. Which actions may take place when addressing contractor WHS non-compliance? Tick all that apply.

Answer

Choice	Possible Answers
✓	Consult with contractor and required personnel
✓	Escalate contractor WHS non-compliance with a higher authority (e.g. PCBU)
✓	Make adjustments to WHS contractor compliance requirements

☐

BSBWHS418

ASSIST WITH MANAGING WHS COMPLIANCE OF CONTRACTORS

PRACTICAL ASSESSMENT

Participant name	
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FOR THE PARTICIPANT

Instructions

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

FOR THE ASSESSOR/OBSERVER

Instructions

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

ASSESSOR COMMENTS: GENERAL

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is a solid black vertical margin line on the left side. The paper appears to be a standard notebook page.

CSTC Pty Ltd_RTO#0699_v1-1_02/08/2024