

# Health and Safety Procedure - OHS Contractor

## Section 1 - Background and Purpose

(1) Contracted works are no different to other University activities in that they require planning, training, and supervision and care to minimise risks and achieve safety standards. University managers must show due diligence in selecting and awarding contracts by ensuring that competent contractors are engaged and that the contractor and their employees carry out the work in a safe manner.

(2) These Procedures highlight the issues involved for all staff engaging contractors to undertake Infrastructure and Operations work in the University. They reinforce the need to ensure that contractors are engaged and managed appropriately.

## Section 2 - Scope

(3) Refer to the [Health and Safety Policy](#).

## Section 3 - Policy Statement

(4) Refer to the [Health and Safety Policy](#).

## Section 4 - Procedures

### Authority to Engage Contractors

(5) The authority to engage contractors is specified in the University's Standard Preliminaries document maintained by Infrastructure and Operations.

(6) All staff that engage and manage contractors must be aware of their management responsibilities towards Health and Safety and other legal insurance and contractual issues.

(7) Infrastructure and Operations are responsible for the management and co-ordination of all University contracts involving building works, engineering service, refurbishment and maintenance works throughout the University.

(8) All contracts of this type must be arranged through Infrastructure and Operations.

### Responsibilities

(9) The University project officer/manager is responsible for conveying to contractors the importance of occupational health and safety through.

- a. specification requirements

- b. contractor selection, assessment and engagement
- c. implementing contractor Occupation Health and Safety procedures and ensuring compliance including receipt of safe work methods statements for construction works on high risk work
- d. specific work site hazards
- e. monitoring health and safety standards during the contract
- f. documentation
- g. consultation with Health and Safety Representatives

## **Type of Contract**

(10) The contract represents an agreement between the University and the contractor. It is essential that the contract clearly expresses the intent and scope of the works and covers the legal issues involved.

### **Minor contracts (to a value of \$600,000)**

(11) The project manager must have a good understanding of hazards and risks associated with the contract. The contractor must have established Occupational Health and Safety systems but these may not be formalised.

(12) All operators must be appropriately licensed and plant and equipment registered as required. A risk assessment must be undertaken for the work by the contractor in conjunction with the project manager/officer.

(13) Where high risk construction work is undertaken a safe work methods statement (SWMS) is required to be developed.

### **Major contracts (in excess of \$600,000)**

(14) In addition to the above requirements, contractors must have a formal occupational health and safety management system. The health and safety systems will include a formal risk assessment for the contract, and require that the contractors report on occupational health and safety performance during the contract.

(15) A health and safety coordinated plan is to be developed for work greater than \$250,000.00.

## **Evaluation**

(16) One of the criteria on which tenders must be evaluated is the tenderers OH&S management systems. This evaluation will establish the level of competency of the tenderer with regard to health and safety in general and in particular to tender requirements and all relevant information must be requested and provided before work commences on site.

(17) The principal contractor for a construction project must ensure that a health and safety plan is prepared before construction commences and is monitored, maintained and kept up to date during the course of construction work. The plan is to be available for inspection for the duration of the construction work.

(18) The health and safety coordinated plan includes:

- a. a list of the names, positions and responsibilities of all persons who will have specific responsibilities for health and safety, such as OHS managers, safety managers, first aid officers, principal contractors; the arrangements for the co-ordination of health and safety engaged in the construction work; arrangements for managing incidents; any site rules with arrangements for ensuring that all persons at the workplace are informed of the rules
- b. documented induction & training that the contractor has undertaken
- c. records maintained of construction induction card number

- d. safe work procedures
- e. risk assessment
- f. safe plant and equipment
- g. safety inspections
- h. safety consultation, between contractor employees and the University
- i. personnel protective equipment
- j. emergency procedures including first aid
- k. incident recording
- l. OHS performance monitoring

(19) The contractors' occupational health and safety management system must be evaluated prior to the contract being awarded. (Refer to attachment "Review of the tendered Occupational Health and Safety management system questionnaire"). Contractors will be required to verify their responsibilities noted on their questionnaire.

### **Indemnity and Insurance**

(20) The contractor must indemnify the University, its agents and employees for any liability, loss damage, claim or proceedings resulting from any act, omission or negligence on the part of the contractor or the contractor's agents, employees or sub-contractors. The insurance policy along with the certificate of currency should be sited prior to the work commencing. Where a blanket policy covering a number of organisations/contractors is issued via a broker a letter of approval to contact the insurer is to be provided by the contractor.

(21) The contractor must comply with the insurance clauses of the University's Standard Preliminaries.

### **Hazard Identification and Risk Assessment**

(22) The object of risk assessment is to identify hazards associated with contract tasks /activities. The level of risk will be determined and appropriate risk controls will need to be established. The risk assessment must review all hazards that can be associated with the project. Hazards can be physical, chemical, ergonomic, radiation, psychological or biological.

(23) The successful tenderer in relation to the contract shall complete a risk assessment form (See attachment Project risk assessment checklist) and submit it to the contract manager for approval prior to commencement of work. The risk assessment shall take into consideration scheduling of work to avoid disruption of classes or research, areas not to be entered or services to be isolated as part of the work.

### **Contractor Induction**

(24) The project manager shall be responsible for organising an Occupational Health and Safety LTU induction before the contractor/s begins work. The induction process shall be based on the critical nature of the work and shall specify University safety procedures and guidelines. The project manager must request evidence that a current construction induction card issued by the Authority is held by construction workers.

(25) LTU Induction shall be signed off by the contractor or nominated representative of the contractor to confirm that the induction has been received and understood.

(26) Induction shall include University occupational health and safety issues and include but not be limited to the following subjects:

- a. contractor induction booklet contractor guidelines
- b. LTU Policies (OHS, Equal Opportunity & Sexual Harassment)

- c. site entry and access
- d. work management
- e. safe Work Methods Statements/Procedures and Job Safety Analysis
- f. work permits
- g. safe working practices
- h. working from heights
- i. confined spaces
- j. manual handling and materials movement
- k. hazardous substances
- l. plant & equipment
- m. safety devices
- n. personal protective clothing
- o. housekeeping
- p. waste removal
- q. incident/emergency response
- r. fire
- s. first aid
- t. isolation of services

(27) At the end of the induction the contractors are required to sit an assessment and pass before being issued a work permit for the University.

### **Monitoring Contractors**

(28) Monitoring contractor safety performance is a critical requirement in contractor management. It sends a clear message to contractors that safety issues are a priority and ensures that health and safety legislation, codes of practice and standards are met.

- a. during the contract stage the project manager/officer shall
- b. monitor induction register for contractor employees and sub contractors
- c. monitor Material Safety Data Sheet Register
- d. monitor contractor JSA and Work Methods statements
- e. monitor contractors safety performance
- f. monitor the performance of contractors to ensure that all legal requirements are met
- g. ensure regular site inspections are conducted
- h. monitor equipment and electrical tagging register
- i. monitor weekly safety inspection reports
- j. advise the contractor on risks and non-conformance
- k. monitor and follow up on corrective action
- l. review OHS performance, accident and incident reports, third party reports and complaints
- m. review occupational health and safety performance via regular meetings with the contractor
- n. ensure all contractor records are maintained as determined in this procedure

### **Non Conformance Reports**

(29) A non-conformance report details high-risk safety issues identified through incident reports and inspections. The report will be prepared following consultation with the contractor representative and an agreed time frame should be

documented on the report for the rectification of issues.

(30) Where the contractor does not rectify the issue within the agreed time frame a second non-conformance report may be issued. In this situation suspension or termination of the contract will need to be considered.

(31) A non-conformance report must outline the specific nature of the non-conformance. This may include identifying:

- a. any plant or equipment involved
- b. any chemical or hazardous substance involved
- c. work procedures not followed
- d. any other physical aspects of the work that presents a hazard
- e. the nature of the risk

## Records

(32) The University must retain contract records during the period of the contract and for seven years in hard copy after completion of contract for minor contract and 15 years after completion of contract if sealed. (Hard copy for seven years, then electronic format is accepted). The register of contractors must be maintained as a permanent record.

## Forms

(33) Available:

- a. [https://intranet.latrobe.edu.au/matrix/\\_\\_\\_data/assets/file/0003/3198/Contractor\\_forms.pdf](https://intranet.latrobe.edu.au/matrix/___data/assets/file/0003/3198/Contractor_forms.pdf)
- b. Tenderer OHS Management System questionnaire: Sent out to a tenderer to complete, provides an overview of the Tenderer OHS Management System
- c. Review of Tenderer OHS Management System: LTU checklist of Tenderers
- d. Contract OHS approval form and contractors OHS Plan: To be completed by the contractor as to how the works will be undertaken
- e. Project Risk Assessment checklist: Completed prior to works being undertaken with LTU Project officer
- f. Non-conformance form: To be completed by the LTU Project officer or Supervisor when non-conformance to plan or works are observed
- g. Checklist for Contractor Management

# Section 5 - Definitions

(34) For the purpose of this Procedure:

- a. Contractor: A person or persons contracted to provide materials and or labour related to building and grounds work.
- b. Contract: A formal agreement to complete a service or carry out a specified activity. The type of contracts will depend on the level of financial risk, the duration of the contract and the value of the contract.
- c. Construction Induction card: A card issued by the Authority and is recognised evidence of construction induction training.
- d. Induction: A formal process of providing information on safety requirements prior to commencement of work.
- e. Induction Guidelines: A booklet produced by Infrastructure and Operations, which establishes the minimum OH&S requirements. These do not replace safe operating procedures or induction training.
- f. Licence: Official permission issued by the regulatory authorities. These include forklift licences, rigger

- certification, etc. All licences must be furnished on demand.
- g. Hazard: Situation with the potential to cause injury and/or property damage.
  - h. High Risk Construction Work: Construction work ; where there is a risk of a person falling more than 2 metres; on telecommunication towers; involving demolition; involving the removal or likely disturbance of asbestos; involving structural alterations that require temporary support to prevent collapse; involving a confined space; involving a trench or shaft if the excavated depth is more than 1.5 metres; involving a tunnel; involving the use of explosives; on or near pressurised gas distribution mains or piping; on or near chemical, fuel or refrigerant lines; on or near energised electrical installations or services; in an area that may have a contaminated or flammable atmosphere; involving tilt-up or precast concrete; on or adjacent to roadways or railways used by road or rail traffic; at workplaces where there is any movement of powered mobile plant; in an area where there are artificial extremes of temperature; in, over or adjacent to water or other liquids where there is a risk of drowning; involving diving.
  - i. Permits: Official permission issued by the relevant authority in respect of prescribed activities. The relevant regulatory authority may issue permits or internal permits may be issued by the University for prescribed activities conducted on University premises. La Trobe University Permits to Work Guidelines.
  - j. Project Manager/Officer: The nominated University employee who shall be responsible for the management and coordination of the contract.
  - k. Risk: The likelihood that a hazard will cause an injury and / or property damage and/or financial loss.
  - l. Risk Assessment: The process of identifying hazards and assessing and recommending methods of controlling those risks associated with a particular project.
  - m. Safety Plan: A plan applicable to major and long term contracts. It is the contractor plan that outlines how occupational health and safety will be managed for the project.
  - n. Safe Work Statement: A document that identifies that is high risk construction work; and states the hazards and risks to health or safety of that work; and sufficiently describes measures to control those risks; and describes the manner in which the risk control measures are to be implemented.
  - o. Standard Preliminaries: The University's Standard Preliminaries published by Infrastructure and Operations shall apply to all building and construction contracts.

## Status and Details

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