

16.14 CONTRACTOR MANAGEMENT

16.14.1 INTRODUCTION

The Diocese recognises that whilst work can be contracted to others, the process for managing hazards and risks associated with the work performed by contractors and other duty holders is a shared responsibility.

16.14.2 PURPOSE

The Diocese aims to outline the health and safety requirements and expectations of contractors prior to their engagement and for the duration of the engagement to perform work at any Diocesan site or parish.

The Diocese is committed, so far as is reasonable practicable, to implement a formal system when:

- Tendering and implementing contracts for services in the Diocese
- Ensuring any contractor that is engaged is competent, certified, insured and aware of the health and safety requirements
- Assessing the level of risk involved in the work for which the contractor is engaged
- Managing risks associated with high risk, construction and structural work
- Reviewing the performance of contractors during and following contractual engagement with the Diocese and actively managing any non-conformance behaviour

The Diocese will also, so far as is reasonably practicable, ensure:

- Relevant information, instruction, induction, training and supervision are provided to protect all persons from risks to their health and safety arising from work carried out.
- Active consultation, cooperation and coordination with contractors and other duty holders' where their work activities overlap with that of the Diocese.

16.14.3 LEGISLATIVE REQUIREMENTS

- Work Health and Safety Act (NSW) 2011
- Work Health and Safety Regulations (NSW) 2011
- Code of Practice Work Health and Safety Consultation, Cooperation & Coordination
- [DRAFT] Code of Practice Construction Work

16.14.4 PROCEDURE

Stage 1 The need for a contractor is identified

Step 1 The need to undertake contractual works has been approved by Parish executive or Parish Council or Parish Resourcing Team.

Step 2 A Diocesan representative (i.e. parish priest) must be informed of the requirement for contracted work.

Step 3 The Diocese will maintain a register of approved contractors.

These contractors demonstrate the ability to fulfil the Diocese's requirements (i.e. fulfil all obligations listed below) and should be considered first in instances where contractor engagement is required.

Once a contractor has undergone this procedure, the contractor will be eligible to be on the register.

If a contractor is not on the register, the Diocesan representative must follow the following procedure.

Stage 2 Determination of requirement for contracted work

Step 4 If the contracted work is required, a Diocesan representative will assess the level of risk associated with the work to be conducted.

Contractors may be engaged to perform:

- General work
- General high risk work
- Construction or structural work
- High risk construction work
- Construction project
- Major maintenance works

Step 5 a) If the contracted work is deemed to be general or general high risk work, the Diocesan representative will obtain and review a minimum of 2 contracts/ quotes. **(Please refer to Stages 3 – 5).**

Step 5 b) If the contracted work is deemed to be construction or structural work, high risk construction work or a construction project the Diocesan representative will advise the WHS Officer **(Please refer to Stage 6 - 9).**

Stage 3 Contractor assessment of general work or general high risk work

Step 6 a) Diocesan representative to conduct a contractor assessment of general work and general high risk work

Contractors shall be assessed on:

- General experience and ability to perform work
- Evidence of any relevant and in-date insurances and licenses
- Evidence of safe systems via safe work method statements, risk assessments or job safety analysis
- Price alone will not be the only determining factor when assessing a contractor's suitability

The Diocesan representative will complete the General WHS Contractor Criteria Checklist and engagement letter prior to engagement of a contractor.

Stage 4 Contractor to be inducted and perform work

Step 7 a) The Diocesan representative will ensure the contractor undergoes the General Site Induction and is provided with general monitoring and supervision for the duration of the work.

Step 8 a) Consultation with contractors regarding health and safety issues, when required, throughout the duration of contracted services.

Stage 5 Management of non-conformance

Step 9 a) Contractors may be subject to an ongoing review process whilst performing work with the Diocese. Contractors will be issued non-conformance reports if unsafe work is observed on site. Repeat non-conformance may result in termination of the contract and removal from the Diocesan approved contractors' register.

The Diocesan representative will advise the WHS Officer of any non-conformance before issuing a contractor non-conformance report.

Stage 6 Contractor assessment of construction or structural work, high risk construction work or a construction project

Step 6 b) Property Approvals Board will coordinate a tender and approval process prior to the engagement of this work.

The process for approval is also subject to, but not limited to:

- Evidence of their WHS Management Systems

- Past performance when performing contractual work for the Diocese
- Evidence of safe systems of work via safe work method statements, risk assessments or job safety analysis
- Evidence of any relevant and in-date insurances, licenses, certificates of competency and registrations (copies to be retained)
- Evidence of training and supervisory for all workers, including any sub-contractors
- Price alone will not be the only determining factor when assessing a contractor's suitability.

Prior to commencement of any construction or structural contractual work, the contractor is required to provide documentation showing the contractor's minimum compliance and ability to comply with contractual, licensing and legislative requirements. The level of detail to be provided by contractors in relation to their WHS Management System will be relative to the risk of the work the contracted person conducting a business or undertaking (PCBU), i.e. 'contractor' has been contractually engaged to complete.

Contractors will be required to provide evidence of their own WHS Management System complying with the minimum legislative requirements. Otherwise, they will need to adhere wholly to the Diocese's WHS Management System.

The Contractor will be required to complete the Construction WHS Contractor Criteria Checklist.

Step 6 c) Additional requirements for high risk construction work.

Safe work method statements must be completed by the contractor for high risk construction work. The WHS Officer will ensure, so far as reasonably practicable, the safe work method statements are site specific, prepared, implemented, monitored and reviewed by the contractor.

Step 6 d) Additional requirements for construction project work.

The Diocese will ensure the:

- Appointment of a Principal Contractor
- Development a WHS Management Plan

Stage 7 Contractor to be inducted prior to performing work

Step 7 b) The Diocesan representative will ensure the contractor undergoes the Contractor Site Induction.

As far as reasonably practicable, adequate supervision of contractual work will be facilitated or coordinated by the Project Manager in partnership with the contractor.

Contractors must demonstrate that adequate supervision will be provided, where applicable, by persons in management or supervisory roles for the duration of the work.

Stage 8 Active Consultation, Cooperation and Coordination

Step 8 b) The engagement of work activities (either initiated by the Diocese or another duty holder) which exposes the Diocese to other duty holder(s) requires the below information to be shared with the other duty holder(s).

Information to be shared between the Diocese and contractor(s) (other duty holders) may include, but is not limited to:

- 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; and
- what further consultation or communication may be required to monitor health and safety or to identify any changes in the work or environment.

Methods for consultation, cooperation and coordination with contractors may include, but are not limited to;

- Toolbox talks
- Site induction programs/checklists
- Daily/weekly meetings

Stage 9 Management of non-conformance

Step 9 b) Contractors will be subjected to an ongoing review process whilst performing work with the Diocese. Contractors will be issued non-conformance reports if unsafe work is observed on site. Repeat non-conformance may result in termination of the contract and removal from the Diocese approved contractors' register.

The Diocese representative will advise the WHS Officer of any non-conformance prior to issuing a contractor non-conformance report.