

# Health and Safety – Contractor Management on UCOL Campuses Policy and Procedure

**Controlled Document – refer to Intranet for latest version**

Category: Health & Safety

Date Created: December 2020

Responsibility: Health and Safety Manager

Date Last Reviewed:

Approval: Chief Executive

Version: 20.1

## Purpose

The purpose of this policy and procedure is to provide information and resources that enable UCOL to fulfil its health and safety duty of care to contractors and to any person/s that may be impacted by contractors engaged to undertake work at or for UCOL Limited.

It is also intended to inform contractors working at or for UCOL of their obligations under the Health and Safety at Work Act 2015.

UCOL is committed to the provision of a safe and health workplace for contractors and sub-contractors in accordance with its Health and Safety Policy. UCOL recognises its duties as set out in the Health and Safety at Work Act 2015, and other related legislation and regulations.

## Scope

All staff must comply with this policy and procedure when engaging contractors to undertake work at or for UCOL or when contracted to undertake work at or for UCOL.

All contractors delivering project work or maintenance work must comply with the contract specifications or scope of work required when delivering service on any UCOL campus. They must ensure the deliver of safe work practices as required under the HSWA 2015 and any other legislative or applicable Codes of Practice and any relevant AS/NZ Standards.

## Policy Statement

UCOL is firmly committed to the provision of a safe and healthy workplace for staff, students, contractors, sub-contractors and visitors in accordance with our Health and Safety Policy and with its duties under the Health and Safety at Work Act 2015, and related legislation and regulations. In meeting these requirements UCOL seeks to:

- ensure that staff, students, contractors and subcontractors work in a healthy and safe manner and are not harmed (or do not cause harm to others) while working on any UCOL campus.

- promote measures to prevent accidents, injury and illness by insisting on safe methods, safe equipment, proper materials, and competent people delivering the services along with safe work practices at all times.
- ensure that all visitors are not harmed while on any UCOL campus.

**NB:** This Policy and Procedure does not apply to consultants or contracted staff of UCOL. Consultants or contracted staff (temp agency staff etc.) are required to comply with UCOL’s relevant Policies, Practices and Procedures which apply to all fixed term or permanent staff. The responsibility for induction of consultants and contracted staff rest with their direct line manager for immediate workplace induction and with the Health and Safety Team for a comprehensive health, safety and wellbeing induction.

## **Responsibilities**

In accordance with the Health and Safety at Work Act 2015, all PCBUs must, so far as is reasonable practicable, **Consult, Cooperate and Coordinate** with other PCBUs where you share health and safety duties with. Consulting, cooperating and coordinating can avoid you unnecessarily duplicating each other’s efforts, and help prevent any gaps in managing health and safety hazards and risks. Listed below are the areas of responsibility.

### **Chief Executive and UCOL Board**

As “Officers” under the HSWA 2015, the Chief Executive and UCOL Board members have an overarching responsibility for ensuring the health and safety of staff (including contractors), students and other people who visit any of our UCOL campuses.

### **Executives, Managers and all other UCOL staff**

As “Workers” under the HSWA 2015, you have a responsibility to know your statutory obligations regarding work in your area that is being undertaken by contractors to ensure that all risks and hazards have been identified and agreed controls are in place prior to the commencement/deliver of any services/work.

### **Health and Safety Team**

The Health and Safety team will provide advice and guidance to assist UCOL personnel to adhere to this policy and procedure and help in the pre-qualification of contractors into the electronic health and safety system (Vault).

The health and safety team may also undertake random audits during the delivery of services/work to ensure that they are working in accordance with their health and safety responsibilities.

All contractors must report any accidents to the UCOL Principle of Contract and the Health and Safety Manager. This includes any, incidents and near misses as soon as possible or within 12 hours. In the event of a notifiable accident to WorkSafe NZ, the Health and Safety Manager must be informed immediately or as soon as practicable.

## Contractors and Subcontractors

A contractor must, so far as is reasonable practical provide and maintain a working environment in which people are not exposed to hazards.

Listed below are some examples that will enable you to meet this requirement and avoid gaps include (but are not limited to):

1. Planning ahead by thinking through every stage of the work.
2. Thinking about how the work could affect other PCBU's, staff, students and the public.
3. Identifying the hazards/risks that need to be managed.
4. Consulting with other PCBUs to agree on how those hazards/risks will be managed.
5. Consulting with other PCBUs to decide who is best placed to manage each hazard/risk.
6. Have clearly defining roles, responsibilities and actions, so that everyone knows what to expect.

### **You Can Not Contract Out Of Your Health and Safety Duties, or Push hazard/risk down the contracting chain to another PCBU.**

You are not only responsible for your own workers; your responsibility also extends to workers whose work you influence and direct, and other people at the workplace.

This includes supporting those people to meet their health and safety duties, and not passing on or increasing risk through your arrangements with them.

## Pre-qualifying the Contractor

As part of the HSWA and WorkSafe NZ "PCBU's Working Together" (advice when contracting June 2019) we are required to pre-qualify any contractors who have been awarded a contract or are delivering maintenance services on any of our campuses.

Pre-qualification is used to establish a shortlist of potential tenderers or service provider, looking at the general ability and competence of contractors for the work. You can use this process to help determine how well contractors manage health and safety. It asks potential tenderers or service provider to demonstrate an effective health and safety management system, and asks them for information on managing specific risks. UCOL can also use pre-qualification as an opportunity to assist and support contractors to improve their health and safety practices. For further information please refer to WorkSafe NZ web site using this link:

<https://worksafe.govt.nz/managing-health-and-safety/getting-started/understanding-the-law/overlapping-duties/pcbus-working-together-advice-when-contracting>

**The level of detail required for pre-qualification should be appropriate for the type of project/work, taking its size and complexity into account.**

If UCOL choose not to use pre-qualification, then health and safety information will still need to be requested and examined in the later stages of the tender or allocation of services/work.

The electronic Health and Safety System (Vault) can be used to gather this information direct from the tendering contractors.

## **Documents required from Contractors**

The following documents are required from contractors when they deliver contracted services/project work or other services.

1. **Job Safety Analysis Procedure (JSA)** – covers everyday maintenance work.
2. **Safe Work Method Statement (SWMS)** – covers Permit work or high risk work.
3. **Site Specific Safety Plan (SSSP)** – Project work. A SSSP incorporates JSA, SWMS where applicable

A Contractor Management Health and Safety Guidelines is available for contractors. All forms identified within this document are available electronically. To obtain these electronic forms please contact the Health and Safety Team who will assist you through this process.

Some contractor may decide to use their own forms and this is acceptable so long as they deliver the required safety information required under the HSWA 2015.

The Site-Specific Health and Safety Agreement Induction, agreed and signed by UCOL and the approved Contractor. (SSSP – Site Specific Safety Plan). They must supply prior to work commencing

## **High Risk Work**

High risk activities have the potential for catastrophic outcomes if not planned and carried out in a systematic and integrated way. Examples that fall into this high risk area are:

1. Work that involves, or are in connection with construction work, or if significant risk is identified through the risk classification process.
2. Risk of a person falling more than 2m.
3. Is likely to involve, the disturbance of asbestos.

## **Further Requirements from Contractors**

Regardless of the situation, the following procedures must be followed when engaging a contractor:

1. Contractor Safety Record - Contractors must provide details of their safety records as well as their technical and commercial ability, for consideration when their suitability for the work is being assessed.
2. Copies of necessary qualifications and licences relating to work delivery and that their staff have received the safety training required for the specific work.
3. Provide details of any hazards that they will be bring onto the campus or any hazards that may be created as a result of the nature of the work being undertaken, together with how these

hazards will be mitigated. This includes the use of emergency and personal protective equipment that may be required.

4. Any permits if applicable.
5. Induction process for their workers and any subcontractors.
6. On site (UCOL campuses) management plan including any tail gate meetings (if applicable)
7. Notification of any WorkSafe NZ prosecution or other enforcements received.
8. Incident. Accident, Illness or Near Miss reporting procedure while on any UCOL campus.
9. Notification of any hazardous work and how it will be managed.

## **Information to be sent to a contractor by UCOL**

Once the contractor has been awarded the contract or maintenance work, the UCOL contact person is required to send the contractor the appropriate contractor package and any additional information that may be required e.g. UCOL policies, procedures and guidelines that may apply to the work they will be undertaking at UCOL including information on parking, contractor induction requirements, the requirements to submit risk assessment and/or other safety documents including the competencies of their staff within their given field of work. This information must be received and signed off by UCOL prior to commencement of any work deliveries.

## **Contractor campus/site induction**

Prior to commencing work on any of our campuses, all contractors and their workers (including any subcontractors) must complete UCOL's contractor induction to site requirements and a record of this happening must be available if requested during an audit.

**There are no exceptions all contractors must receive an induction to any of our campuses.**

This induction must cover:

1. Location specific emergency procedures e.g. exit routes and specific emergency evacuation assembly points).
2. Location of amenities.
3. Information regarding any area specific hazards and/or requirements.
4. Access to the campus including hours that UCOL's campuses are open. They also need to be aware of any security arrangements on any of our campuses.

If work is urgent or outside UCOL hours and the contractor has not been able to complete the induction prior to arrival on any of the UCOL campuses, the UCOL contact person must make arrangements for the contractor to complete this induction on line or as soon as practicable. Written evidence of this happening must be available for audit purposes.

## **UCOL monitoring during delivery of contract/services**

Monitoring a contract is part of UCOL's overlapping duties to consult, cooperate and coordinate with the other PCBU/s (companies) that you share duties with. Monitoring the contract can include (this list is not exhaustive):

1. Managing the contractor relationship so good communications is maintained
2. Make sure all parties are aware of their roles and responsibilities throughout the contractual framework.
3. Taking overall responsibility for the control and coordination of the contract.
4. Holding regular meeting to review health and safety performance
5. Carrying out regular inspections, as appropriate, this would include health and safety spot audits on various areas of contract or service delivery.
6. Raising issues that require attention by the contractor or service provider
7. Investigating and responding to accidents and incidents which will include any Notifiable Events to WorkSafe NZ.
8. As part of the spot audit process, records of company health and safety progress on campus can be use in future contracting situation and for review in "Post Contract Review".
9. Regularly reporting to the contractor on performance or performance issues, which must be documented.

## **Post – contract review**

When the contract or service work has been completed, you should review the quality of the work against the job specification and the performance of the contractor. You should consider, among other things:

1. How well the contractor fulfilled the health and safety plan.
2. How well the contractor managed health and safety while completing the work.
3. Any improvements that could be made.
4. Whether the contractor is suitable for further contracts.

**The Health and Safety Team are here to help any area/staff member who are managing contracts through this process. Please do not hesitate to contact us.**

## **Definitions**

**Job Safety Analysis Procedure (JSA)** – which sets out step by step process for managing hazards/risks.

**Safe Work Method Statement (SWMS)** – which describes how a contractor for services is going to carry out the work safely. It is a document that sets out the risks in construction work activities, the hazards arising from these activities and the measures that need to be put in place to control the risks.

**Site Specific Safety Plan (SSSP)** – A Site-Specific Safety Plan (SSSP) is a highly effective communication tool. It forms a critical part of the agreement between parties and outlines how health and safety will be managed on a job. A SSSP is developed by subcontractors and main contractors to make sure that all relevant site information is available and regularly updated and that health and safety is habitually and consistently monitored

**Principle of Contract** – A “principal” is any person, or corporate entity, who engages another to do any work for gain or reward other than as an employee. A contractor is considered a “principal” with respect to subcontractors.

**HSWA** – The name of the Act –Health and Safety at Work Act 2015.

**PCBU** – Person conducting a business or undertaking. – Despite the name a PCBU is not usually an actual person, (it is a legalism referring to a business entity. In most cases the PCBU will be the business itself, e.g. company or organisation.

**Officer** – These are people in senior positions who have a significant influence over the way the business/organisation is run. This includes Chief Executives, and Board members.

**Workers** – This term relate to all employees other than those mentioned in the “Officers” definition.

## Relevant Legislation

- Health and Safety at Work Act 2015, and any other legislative requirements
- Any applicable Codes of Practices and relevant AS/NZ Standards
- Employment Relations Act 2000

## Related Documentation

- Health and Safety Hazard Management Policy and Procedure
- Health and Safety Permit to Work Policy and Procedure
- [Health, Safety and Wellbeing Policy](#)
- [Contractor Management Health and Safety Guidelines](#)
- [Smoke Free Policy](#)
- [Drug and Alcohol Policy](#)
- [Drug and Alcohol Testing Procedure](#)
- [Procurement Policy](#)