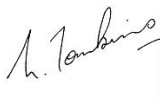



# PROCEDURE

## Contractor Safety



Issued with the authority of the Chief Commissioner  
and Chief Executive Officer of Scouts Australia NSW

Chief Commissioner signature		Chief Executive Officer signature	
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# Contractor Safety

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# 1 Purpose

Scouts Australia NSW must take reasonable steps to ensure that work carried out by contractors, meets appropriate WHS safety standards. Safety is a mutual responsibility between Scout NSW and the contractor.

This procedure describes the steps taken by Site Managers, and other Scouts personnel who engage contractors, to fulfil the necessary WHS aspects of selecting, engaging and monitoring contractors. This procedure applies to any professional employed staff or member who engages a contractor on behalf of Scouts NSW.

Examples of contractors include: tradespeople, asbestos professionals, designers, builders, etc. Individuals contracted perform work of the type that professional paid staff would normally do (such as office work or consultative work) are also covered in this procedure, however the requirements vary depending on the nature of the work, and whether they will work from Scouts premises, or from their own offices.

# 2 Who is responsible for contractor safety?

When an organisation such as Scouts NSW engages a contractor, health and safety becomes a *mutual* responsibility between the two parties. Each party is required to perform due diligence in order to protect the health and safety of the organisation's workers and others as well helping to assure the quality of the work. This is notably different from when a home owner engages a contractor to perform work in their own home, where WHS legislation does not place the same responsibility onto a home-owner.

Contractors are generally engaged to perform work that Scouts NSW is not suitably trained/qualified to carry out, and/or the appropriate equipment is not available. Therefore, the work that contractors perform for Scouts NSW can sometimes be deemed high risk construction work under WHS legislation. Even when we do not necessarily have expertise in the area, we still have a responsibility to seek the appropriate assurance that the contractor maintains a suitable standard of WHS. This procedure provides the steps required to obtain this assurance, for high risk construction contractors through, to consultants performing desk work.

# 3 Types of contractors

On order to determine WHS requirements, contractors are classified depending on the type of work they perform. Essentially, the type of work they perform indicates the level of WHS risk which subsequently drives the requirements for contractor management.

## Contractors performing trade work:

- High risk construction work
- Not high risk construction work
- Other trade work

By law, a contractor performing *high risk construction work* MUST develop a *Safe Work Method Statement* (SWMS). See – Definitions for a definition of high risk construction work and SWMS. For all other construction activities a SWMS is not required. However, the contractor must provide Scouts NSW with documented evidence that they manage risks to health and safety by eliminating or minimising risks so far as is reasonably practicable. This evidence will frequently be provided in a document such as SWMS, JSEA (Job Safety and Environment Analysis), Standard Operating Procedure (SOP), or JHA (Job Hazard Analysis) or some equivalent document.

## Principal Contractors

If a construction project is >\$250,000, a principal contractor must be appointed to manage WHS for the construction. Contact Scouts NSW Head of Risk for more information.

## Designers

Designers of structures or components of structures have responsibilities under the WHS laws. Examples include:

- Design of new buildings eg. Scout hall, boat shed
- Designers of activity structures such as abseil towers, flying foxes
- People who prepare plans for renovations that involve changes to structures

These contractors must follow the requirements of the [Code of Practice – safe design of structures](#). Scouts NSW should provide designers with relevant information about the intended site and use of the structure. The designer must consult with Scouts NSW regarding safe design and provide all relevant documentation such as risk assessments and maintenance manuals when the design is complete.

## Contractors not performing construction work

Examples include:

- Labour hire (eg personnel hired through a labour hire company to work at a Scouts site, and to perform work which is similar in nature to the work that Scouts staff would otherwise perform)
- Consultants (ie professionals hired through a consultancy to work at a Scouts site to perform work similar in nature to the work that Scouts staff would otherwise perform, OR to perform work that is not part of the usual Scouts NSW portfolio).

These contractors provide services to Scouts NSW that are generally administrative eg office work, desk-top audits, inspections. As such they represent a lower WHS risk and no SWMS are required. Labour Hire companies generally should provide evidence of a WHS management system, and similarly, will require similar evidence from Scouts NSW when placing their employees into a Scouts NSW premises. Labour hire and consultants working in Scouts premises, are to be inducted in emergency procedures and first aid arrangements.

Consultants who are engaged to perform work for a short interval eg a few hours that involves physical activity other than desk based work (eg property inspections, structural assessments etc)

should be fully escorted by a Scouts NSW representative at all times where practical, unless fully inducted.

## 4 Engaging contractors

A [26.1 Contractor WHS Questionnaire](#) shall be developed and maintained by the Head of Risk. At minimum, the questionnaire will include:

- Contractor's name and contact details
- Certificate of Currency for public liability insurance, workers compensation insurance and professional indemnity insurance (where relevant)
- Questions to confirm that the contractor has appropriate WHS system in place for the intended work

Prior to engaging a contractor, the Site Manager, or other Scouts NSW representative, will contact the contractor and request them to complete the [26.1 Contractor's WHS Questionnaire](#). Although not essential, the [26.3 Letter to Contractor regarding WHS Requirements](#) can be used to support this request.

Once the contractor completes and returns the questionnaire, the Site Manager or other Scouts representative shall review the responses to check they are adequate, and that the supporting documentation has been provided. If assistance is needed to review the documentation or to determine requirements, contact Head of Risk at State Office.

Contractors should only be engaged once they successfully complete the [26.1](#) questionnaire and after providing the appropriate documents. Where the evidence is inadequate or when further information is required the Scouts NSW representative must liaise with the (potential) contractor until resolved. Where the contractor fails to supply sufficient documentation, they should not be used and an alternative contractor should be found. The Scouts NSW representative who engages the contractor is responsible for requesting this information and reviewing the documents provided.

## 5 Contractors' WHS documentation

The following documented evidence is required prior to starting work.

### Insurances

- current workers compensation (or for sole trader, personal accident insurance) AND
- current public liability AND
- if relevant – current professional indemnity with appropriate limit.

### Safety documentation

- Completed [26.1 Contractor's Safety Questionnaire](#)

PLUS

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- for high risk construction work – a SWMS is required by law. Ideally the contractor will inspect the site prior to commencing work, and incorporate any additional hazards that are specific to the site or the job.
- for all other construction, maintenance or repair work - a SWMS or some other similar relevant work instructions eg SOP, JSA, JSEA
- If operating high risk plant and equipment, evidence that the plant and equipment has been inspected and is deemed safe eg a completed inspection checklist.

## Qualifications, licenses

- for any type of construction work - General Construction Induction Card CIC (also known as white card).
- Relevant qualification such as electrical, building, plumbing
- PLUS the following work requires a special licence, as per Safe Work NSW website:
  - asbestos removal or assessing
  - demolition work
  - explosives and fireworks
  - traffic control
  - pest management and fumigation
- PLUS High Risk licences are required for individuals performing the following work:
  - Cranes
  - Dogging, rigging, scaffolding
  - Forklifts
  - Hoists
  - Pressure equipment
  - Reach stacker

Workers and businesses need to be licensed before they can undertake a range of high risk activities. Safe Work NSW has made a register available on its website called [licencecheck.nsw.gov.au](http://licencecheck.nsw.gov.au) that allows anyone to check the validity of a range of high risk licenses for companies and organisations in NSW. The Scouts NSW representative may use the register to search for licensed contractors, or obtain confirmation of the licenses of the engaged contractor.

Once the contractor successfully provides all the necessary documentation, they are considered registered and can now be engaged to perform the work.

Consultation on WHS aspects of the work being contracted will take place prior to the commencement of work. Parties will agree on how WHS risks will be managed. Work must be carried out in accordance with the agreed process and revised when necessary.

## 6 Emergency repairs

For emergency or urgent tradework, where it is not reasonably practicable to obtain all this documentation prior to the work, the first preference is to use contractors that have already been successfully used or registered previously. Where this is not possible, use only reputable professional organisations. If planning to use the contractor in the future, request the documentation once the emergency work has been completed.

## 7 List of preferred contractors

For sites that regularly engage a contractor, a list of preferred contractors should be maintained to record safety related details of contractors engaged to perform work on site.

Contractors shall be required to submit details of their workers compensation and public liability insurances annually and these details to be recorded.

Sites Managers are encouraged to share their list of preferred contractors with other site managers. This can eliminate duplication of work. It can also make selecting a contractor easier and faster because where another Scouts site has already engaged a contractor and placed them on the preferred list, there is no need for the second site manager to request the information from the contractor again as long as the documentation is current and *as long as the contractor is being engaged for the same type of work.*

## 8 Site WHS inductions

Upon commencement of the contracted services a site-specific WHS induction must be provided to the contractor(s) by the site manager or delegate. The Scouts NSW person responsible for engaging the contractor is responsible for providing a site induction and maintaining the documentation. Use

The induction must cover the following:

- Safety Policy and expectations.
- Security arrangements.
- Verification of work requirements, licences, permits and PPE.
- NB: If the individual contractor does not provide copies of license ag white card, the following website can be used:

SafeWork NSW <https://www.licencecheck.nsw.gov.au>

- Emergency procedures, fire and first aid, signs and barricading.
- Potential hazards- electrical (including overhead wires, any known underground cables etc), hazardous substances, slips, trips and falls.
- Working at heights, hot work, lock out and tag out.
- Policy regarding work on liv electrical equipment
- Safe manual handling, reporting of hazards, incidents and injuries
- Asbestos register

## 9 Contractor monitoring

Regular checks shall be conducted to confirm that the contractor is conforming to all health and safety requirements of the contract and site. Non-conformances shall be addressed directly with the contractor and progress monitored via the WHS Action Plan (for State Activity Centres) or equivalent (for other sites). Where issues are not addressed adequately by the contractor, they

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should not be used in future and an alternative provider should be found.

## 10 Incident reporting

Incidents involving contractors on sites under the control of Scouts NSW are to be reported to both parties (the contracting company, as well as Scouts NSW), for action. A Scouts NSW on-line Incident Report shall be used, and information may be taken from the contractor's incident report if already completed. Representatives from the two organisations shall liaise as appropriate until the corrective action are closed out.

Where an incident is notifiable to Safe Work NSW, the scene shall be preserved and two parties shall consult to ensure that at least one party notifies SafeWork NSW. See Scouts NSW Incident, Reporting and Investigation procedure for details.

## 11 Records/references

- WHS Volunteers Guide (Safe Work Australia)
- Register of Contractors.
- Relevant completed permits.
- Contractor safety reviews, (LEAD forms).
- WHS Legislation
- SafeWork NSW <https://www.licencecheck.nsw.gov.au>

## 12 Associated forms

- 26.1 WHS Contractor Questionnaire

*Whenever this procedure is revised, the sponsor of this procedure will review the above forms, to determine whether the changes made to the procedure impact the forms. If changes are required, the sponsor must also make the appropriate revisions to the forms.*

## 13 Appendices

- Definitions
- Contractor WHS Requirements



## Definitions

<p><b>Construction Work</b></p> <p>Reference: Safe Work NSW Construction Work Code of Practice</p>	<p>Construction work is defined as any work carried out in connection with the construction, alteration, conversion, fitting-out, commissioning, renovation, repair, maintenance, refurbishment, demolition, decommissioning or dismantling of a structure.</p>
<p><b>JHA, SOP, JSA</b></p>	<p>JHA = Job Hazard Analysis  SOP = Standard Operating Procedure  JSA = Job Safety Analysis  These (and similar terms) refers to any document that outlines the hazards / risks and determined controls for a particular task.</p>
<p><b>High Risk Construction Work</b></p> <p>Reference: Construction Work Code of Practice and WHS Regulation, section 291</p>	<p>a) involves a risk of a person falling more than 2 metres, or  (b) is carried out on a telecommunication tower, or  (c) involves demolition of an element of a structure that is load-bearing or otherwise related to the physical integrity of the structure, or  (d) involves, or is likely to involve, the disturbance of asbestos, or  (e) involves structural alterations or repairs that require temporary support to prevent collapse, or  (f) is carried out in or near a confined space, or  (g) is carried out in or near:  (i) a shaft or trench with an excavated depth greater than 1.5 metres, or  (ii) a tunnel, or  (h) involves the use of explosives, or  (i) is carried out on or near pressurised gas distribution mains or piping, or  (j) is carried out on or near chemical, fuel or refrigerant lines, or  (k) is carried out on or near energised electrical installations or services, or  (l) is carried out in an area that may have a contaminated or flammable atmosphere, or  (m) involves tilt-up or precast concrete, or  (n) is carried out on, in or adjacent to a road, railway, shipping lane or other traffic corridor that is in use by traffic other than pedestrians, or  (o) is carried out in an area at a workplace in which there is any movement of powered mobile plant, or  (p) is carried out in an area in which there are artificial extremes of temperature, or  (q) is carried out in or near water or other liquid that involves a risk of drowning, or  (r) involves diving work.</p>
<p><b>Safe Work Method Statement (SWMS)</b></p> <p>Reference: Construction Work Code of Practice</p>	<p>A SWMS is a written document that sets out the high risk construction work activities to be carried out at a workplace, the hazards and risks arising from these activities and the measures to be put in place to control the risks. Its primary purpose is to help supervisors and workers implement and monitor the control measures established at the workplace to ensure high risk construction work is carried out safely.</p>

## Contractor WHS requirements

Type of work to be carried out	To be provided by the Contractor PRIOR to starting work				On site				
	Completed Questionnaire 26.1	Evidence of Insurances			Other documents			Scouts site Induction	
		Workers Comp.	Public Liability	Professional Indemnity	SWMS OR similar safety instructions eg SOP, JSA, JHA	Construction Induction Card or White Card	Relevant Licences	Relevant Qualifications	
<b>Construction Work<sup>1</sup> and other Trade work</b> eg building, maintenance, repairs, asbestos assessments, pest control, cleaning, 'handyman' services" etc	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Or personal accident insurance if sole trader	<input checked="" type="checkbox"/>	<b>NA</b>	<input checked="" type="checkbox"/> SWMS (Safe Work Method Statement)*  *If the work is <u>not</u> classified as HIGH RISK construction work, a SWMS is not specifically required. However a copy of relevant safety instructions must be provided.	<input checked="" type="checkbox"/> If defined as construction work	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> site Induction
<b>Non-construction Work ON SCOUTS SITES</b> eg labour hire companies or consultants performing desk work, property inspections (excluding asbestos assessment – see above)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> or personal accident insurance if sole trader	<input checked="" type="checkbox"/> if relevant	<input checked="" type="checkbox"/> If providing intellectual advice	<input checked="" type="checkbox"/> Person follows Scouts WHS procedures OR provides their own safety instructions	NA	NA	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Site Induction OR person must be fully escorted

<sup>1</sup> Construction work is defined as any work carried out in connection with the construction, alteration, conversion, fitting-out, commissioning, renovation, repair, maintenance, refurbishment, demolition, decommissioning or dismantling of a structure.

<sup>1</sup> High risk construction work is defined in the WHS Regulation, or refer to Definitions in this procedure. Notably it includes confined spaces, work at height (>2m), welding, cranes, traffic control, work around mobile plant, work around water.

For other work, or emergency tradework using contractors that are not already registered Scouts NSW, use professional organisations and gather WHS information appropriate to the situation.

If a construction project is >\$250,000, a principal contractor must be appointed. Contact Scouts NSW Head of Risk for more information

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