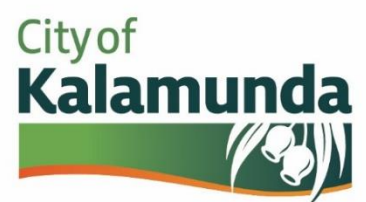


# Policy and Guidelines for Contractors

COK-WHS-POL-001



# Policy and Guidelines for Contractors

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## Forward

This document sets out the City of Kalamunda's Policy, Guidelines and procedures, which are designed to conform to the City's Work Health and Safety management system for work conducted by contractors on behalf of the City of Kalamunda.

These Policy and Guidelines are not intended to be fully comprehensive but generally cover the City of Kalamunda's requirements for Contractors.

## Introduction

This document sets out the City of Kalamunda's guidelines and procedures, which are designed to conform to the City's Work Health & Safety management system for work conducted by contractors on behalf of the City of Kalamunda. The policy and guidelines support any written or verbal agreement consented to by the contractor. The guidelines contained herein are not intended to be a comprehensive outline of all the principles of safety and health requirements but should be used in conjunction with the Western Australian Work Health & Safety Act 2020, WA Work Health & Safety (General) Regulations 2022, and subsidiary legislation that applies to all workplaces with the City of Kalamunda.

Contractors who perform work for the City of Kalamunda must do so in a manner which protects the safety of themselves and their employees, members of the public, third parties and the City of Kalamunda's personnel and property. The City of Kalamunda will not engage contractors not committed to safety.

## Instruction

The City of Kalamunda's WHS CEO Direction (Policy) requires that all work be conducted in a safe manner. The City of Kalamunda is committed to ensuring a safe and health working environment for all persons at its offices, sites, and premises as far as is reasonably practical. Operations associated with a particular task must cease if safety cannot be assured.

Contractors who perform work for the City of Kalamunda must apply the General Principles as set out in the WHS Act for PCBUs, officers, unincorporated associations, government departments and public corporations, workers, and other people at a workplace.

### **The WHS Act covers:**

People who carry out work in any capacity for a person conducting a business or undertaking including employees, contractors, subcontractors, self-employed persons, outworkers, apprentices and trainees, work experience students and volunteers who carry out work.

### **Primary duty of care**

The WHS Act states that the primary duty of care requires duty holders to ensure health and safety, so far as reasonably practicable, by eliminating risks to health and safety. If this is not reasonably practicable, risks must be minimised so far as is reasonably practicable.

## CEO Direction



### CEOD–WHS–001 Work Health & Safety Statement

#### Purpose

This Direction outlines the City of Kalamunda's (The City) commitment to continuously improve the Work Health & Safety standards and health management systems, to reduce hazards and subsequent incidents in the workplace.

#### Policy Statement

The City of Kalamunda is committed to ensuring the health, safety, and welfare of its workers whilst they are at work. We will take all reasonably practicable measures to eliminate or minimise risks to the health and safety and welfare of Workers, clients, customers, visitors, and anyone else who may be affected by our operations.

We are committed to ensuring we comply with the Work Health and Safety Act 2020 (the WHS Act) and WHS (General) Regulations 2022 (WHS Regulations) and applicable Codes of Practice.

This will be achieved by:

- Providing and maintaining a healthy and safe work environment through the implementation of safe work practices, safe systems of work and the provision of safe plant and equipment
- Eliminating and minimising risks associated with work activities that have the potential to cause injury or illness.
- Routinely consulting to maintain effective and co-operative relationships between the City of Kalamunda and its Workers, and with other duty holders, on health and safety matters in the workplace
- Reviewing, through appropriate mechanisms, the effectiveness of the measures taken to mitigate risk

The City of Kalamunda's commitment to providing safe and healthy working environments for its Workers includes:

- Providing relevant, up to date WHS information to all Workers on matters such as workplace safety and their responsibilities
- Providing expert assistance in WHS matters where necessary.
- Providing instruction and/or training in work processes where appropriate
- Developing and implementing strategies which include workplace assessment, hazard identification, and appropriate remedial action to eliminate or control hazards
- Implementing and maintaining appropriate information, reporting and statistical systems.

Workers, including contractors, volunteers and work experience students are obligated to meet their duty of care by:

- Taking care for their own health and safety and avoid adversely affecting the safety and health of any other person;
- Complying with safety and health instructions given by the PCBU, including the direction to wear personal protective equipment and clothing, following procedures & undertaking training;
- Reporting hazards, accidents (injuries), incidents and near misses in the workplace to the immediate supervisor.

#### We are committed and empowered to have a safe and efficient workplace

Chief Executive Officer	Date	WHS Representative	Date
	23/7/2024		23/07/2024

## Approach

When the City of Kalamunda engages contractors the following elements of a general procedure may be applied. The extent to which the City of Kalamunda applies each element will depend upon its assessment of the scope of the work and risks involved.

Contractors will be advised of their responsibilities and liabilities in respect to WHS, and environment conservation prior to commencement of a contract. If tenders have been called, these requirements will usually be defined with the specifications. Contractors may be required to submit information or follow procedures in the following areas:

1. Pre-qualification.
2. Site Management plan.
3. Induction or training.
4. Inspection of equipment (maintenance logbooks, tagging & testing records).
5. Audit of contractor safety (non-conformance).
6. Requirement to report incidents/accidents.
7. Rating of contractor safety performance depending upon the scope of the work to be undertaken.

These procedures do not in any way lessen the contractor's obligation under the Work Health and Safety Act 2020 or relevant Common Law for ensuring its own safety and the safety of others.

Although minimum standards of safety will always apply, the approach required by the City of Kalamunda will vary according to the situation. The relevant officer will discuss the approach to be adopted with the contractor.

## Pre-qualification

The City of Kalamunda will consider the ability of the contractor and sub-contractors to work safely as a key factor in its selection process. Prospective contractors may be asked to provide some, or all, of the following information:

- Information on necessary expertise, qualifications of personnel, licences, or equipment to carry out the work.
- The City of Kalamunda may require details of the contractor's safety record over the past two to five years, including lost-time injury statistics (e.g. frequency and incidence rate) and details of any notifiable incidents.
- Details of the contractor's safety policy, manual or systems giving evidence of commitment to safety, adequate safety training of employees, details of personnel with dedicated safety responsibilities and a policy towards safety of sub-contractors may also be required.
- Details of insurance coverage e.g. public liability, public indemnity, workers compensation etc.

### Planning meeting

Prior to the commencement of any work the contractor may be required to attend a planning meeting to review safety requirements and to agree to the approach.

## Key Roles and Responsibilities

**The City of Kalamunda Contract Owners / Project Managers** are responsible for following the Policies and Guidelines and are accountable to enact the processes outlined in this guide. Each Contractor engaged by their area has ensured all WHS requirements outlined in this guide are met.

This includes:

- Managing contracts in line with the Contractors Management Procedure.
- Contractors are issued a copy of the Contractors handbook.
- Ensuring processes are in place for consultation between the city and the contractor on WHS issues

### Resources:

Contractor Management procedure - [COK-WHS-PRO-002](#)

Contractors Handbook – [COK-WHS-PRO-003](#)

## Site Management Plan

A contractor may be required to prepare a Site Management Plan (SMP) where the City of Kalamunda deems the scope of the work entails special, significant risk or more than five persons on the worksite.

The purpose of the SMP is to identify a clear strategy on the part of the contractor to ensure safety throughout the contract. This should address the plant, people and the environment. The SMP should cover two areas:

### Work Health & Safety program

The Work Health & Safety program that the contractor will use on the work shall incorporate:

- a) The contractor's safety and health policy statement and address.
- b) The contractor's safety and health plan, including:
  - The means of identifying hazards and risks.
  - A system to ensure that pre-job planning is conducted.
  - Work-site inspection throughout the works to ensure safe conditions.
  - Training/induction of contractor's employees.
  - A means to resolve issues raised by contractor's employees.
  - Safety meetings and the means to provide safety information to employees (nominated Safety & Health representatives).
  - An accident/incident hazard reporting system.
  - Provision of First Aid facilities.
  - A lost time frequency rate target or other statistical target.
  - An audit system

### Job specific safety procedures

Set out hereunder are procedures to deal with the following issues:

- Legislative requirements applicable to the job.
- Job safety analysis (which should identify the means to control hazards and risks and the approach to the task).
- The safe use of equipment.
- Work permit procedures.
- Roadworks: where applicable, a Traffic Management Plan and daily records that capture the on-going implementation of the Traffic Management Plan.
- Work sites; provision of barriers and general site protection for danger areas.
- Warning and hazard signs to identify hazards and specific requirements, e.g. Safety Hat Area.
- The minimum standards of personal protective equipment, including specific equipment to protect against specific hazards.
- The control of dangerous/hazardous substances.
- Acceptable means of disposal of waste products, spillages and effluents.

- An emergency response plan.
- Environmental protection plan.

The plan should provide the means to ensure that the system outlined in the SMP is applied to sub-contractors. The City of Kalamunda reserves the right to request a contractor to amend or improve the SMP either at tender stage or during the works. The quality of the SMP submitted will be an important factor in the tender selection process.

## Induction

The City of Kalamunda requires contractors to undergo or arrange safety induction or other safety related training, depending on the circumstances. Induction may cover some or all of the following:

- Relevant site security, personal protective equipment and emergency procedures and regulations. The contractor may be accompanied on site or may be required to report to a specific City of Kalamunda officer.
- Relevant sections of the City of Kalamunda's Work Health & Safety Management Plan and clear work/safety procedures such as work permits and clearances to equipment may also need to be included.
- Relevant City of Kalamunda safety standards, accident reporting and investigation procedures may be required.
- Contractor's own induction program covering aspects of any SMP.

*Note: The City of Kalamunda may choose to provide the contractor with an induction and then require the contractor to provide that information to all its own employees and/or sub-contractors. Details of the SMP should be included, if one has been developed.*



## Inspection of Equipment

Equipment provide by a contractor for the purpose of the works must be “fit for that purpose” and the City of Kalamunda reserves the right to inspect and approve or not approve as the case requires all equipment that a contractor intends to use to carry out the works or may be using or bringing onto any work site.

The contractor shall ensure that all plant and equipment are of a suitable type and capacity and in good order and condition to perform the work safely.

Before starting the works the contractor shall (if required by the City of Kalamunda) submit any item of equipment nominated by the City of Kalamunda for inspection and approval. The contractor may be required to provide the City of Kalamunda with a schedule for inspection and maintenance of equipment to be used in the performance of the work throughout the works.

The contractor shall satisfy the City of Kalamunda that the equipment carries relevant current permits or approval certificates in compliance with WorkSafe requirements or other relevant standards throughout the works.

The contractor shall ensure that any of its personnel who operate equipment possess any appropriate licence or permits or – if not applicable – are adequately trained in the safe operation of equipment. The City of Kalamunda may, in some instances, require the contractor to ensure that such personnel receive training to standards set down by the City of Kalamunda.

If the contractor’s equipment is found to be in an unsafe condition by either the City of Kalamunda, the contractor or a relevant authority (e.g. WorkSafe) then it shall immediately be removed from use and shall not be brought back into use until the contractor satisfies the City of Kalamunda that it has been made safe.

## Audit of Contractor Safety

### Approach

Safety auditing is a key method of ensuring that contractors and employees maintain adequate standards of safety.

The City of Kalamunda will conduct audits according to the circumstances and all or any of the following areas may be audited:

- Provision and wearing of personal protective equipment if applicable, observance of basic work practices, safety regulations, on site procedures.
- Prescribed working procedures, if applicable.
- Observance of the City of Kalamunda's permit to work procedures, use of hazard warning and appropriate signs, specific requirements relating to scaffolding, lifting equipment, etc. housekeeping, access and egress, first aid equipment and procedures.
- Evidence of the implementation of the SMP including visible management of safety by the contractor's designated senior contract personnel. When a SMP exists it may be used as the basis for safety auditing and an audit checklist may have been developed with the plan. A senior representative of the contractor may be invited to participate in the audit.

### Non-Conformance

In the event that a contractor, sub-contractor or their employees are identified as operating in an unsafe manner, high level risks are noted, or areas of non-conformance are identified as a result of an audit or observation, the contractor will be advised, consulted and if unable to rectify immediately, a Non-Conformance report shall be issued.

The Responsible or Nominated City Officer may instruct the contractor to cease work until the situation has been rectified and the work area and/or procedures are considered safe.

Where the contractor does not rectify the issues within the agreed timeframe a second Non-conformance report may be issued and/or the Responsible or Nominated City Officer may consider suspension or termination of the contract if the issue is significant.

## Accident Reporting

All accidents resulting in workers compensation claims are to be reported to the City of Kalamunda and a copy of the accident/incident report provided.

The contractor will investigate and supply a copy of this to the City of Kalamunda.

The City of Kalamunda's Work Health & Safety Officer or nominated officer will sign off on the investigation if it is deemed adequate and will seek evidence that the listed preventative actions have been implemented.

### Major accidents/fatalities

- Within 2 hours of accident

The contractor must provide:

First report to City of Kalamunda Responsible or Nominated Officer.

Notification to WorkSafe and police, if appropriate

- Within 24 hours

The City of Kalamunda may require an accident committee to be established comprising adequate representation of the contractor, the City of Kalamunda and the City of Kalamunda Safety Coordinator if considered relevant.

- Within 3 working days

The City of Kalamunda may require a meeting with senior representatives of the contractor to review the finding of the investigation committee.

## Questions and Queries

The Contractor and any Subcontractors and their employees working for the City of Kalamunda will always, where there is a question of workplace safety and health:

- Comply with the Western Australian Work Health & Safety Act 2020, WA Work Health & Safety (General) Regulations 2022, and subsidiary legislation that applies to all workplaces, and all associated WHS codes of practice, Guidance Notes, Australian Standards and any other relevant guidance so that the work being conducted by the Contractor will be "as safe as is reasonably practicable" to control any risk factors present.
- Always confer with the Responsible or Nominated City Officer to reduce any confusion in relation to applying best safety practice on the worksite.

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## Contractors Agreement

I can confirm that a copy of the City of Kalamunda "Policy and Guidelines for Contractors", summarising rules and conditions under which this Contract is issued has been given to me.

It is acknowledged that the Contractor and all persons employed by the Contractor will be required to comply with the City's Work Health and Safety Policy.

I \_\_\_\_\_  
(name of person authorised to represent the Contractor)

Representing \_\_\_\_\_  
(registered name of Contract Company),

Agree that the work will be carried out in a manner which is both safe and consistent with the requirements set out in the City of Kalamunda document "Policy and Guidelines for Contractors".

I have read and understood this document.

Signature of Contractor \_\_\_\_\_

Signature of Contractor Representative \_\_\_\_\_

Date \_\_\_\_\_

Signature of City of Kalamunda Representative \_\_\_\_\_

Date \_\_\_\_\_

**(A COPY TO BE MADE AND RETAINED BY CONTRACTOR)**