

CONTRACTOR AND VISITOR CONTROLS

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INTRODUCTION

The purpose of these guidelines is to provide a framework for controlling contractors and visitors to ensure they are subject to the same occupational health and safety (OH&S) standards and procedures as company employees. Other segments including quality of contractors work will not be dealt with in this document but reference should be made to Australian standard AS3900 – Quality Series. These guidelines also define the specific OH&S procedures applicable for visitors and for the different types of contractors.

In general terms a contractor control program would consider:

- (1) A 'due diligence' approach to considering OHS aspects of the work before tendering for contract and to ensure it checks potential contractors OHS Performance;
- (2) ensuring the contractor is aware of the school's OH&S standards and procedures which the contractor is required to comply with whilst on the company's premises;
- (3) ensuring all of the contractor's supervisory staff and employees undergo an appropriate safety induction, which includes training in the company's and contractor's safe work procedures;
- (4) ensuring the contractor's tools and equipment are safe and reviewing work procedures prior to commencement of work on the company's premises;
- (5) regular safety and housekeeping inspections of the contractor's operations to ensure compliance with the company's OH&S standards and procedures.

The school is obliged by legislation to ensure that all contractor activities are conducted in a safe and healthy manner and that all visitors are properly controlled and protected from harm.

The types of contractors covered in this set of guidelines includes;

- Regular Contractor (defacto employee)
- Routine Deliveries Contractor
- Tanker/Hazardous Deliveries or Removals
- Minor Projects
- Major Projects (including maintenance of hazardous processes e.g. ammonia systems)
- Cash Delivery

See each section for definitions.

PART A: GUIDELINES COMMON TO ALL CONTRACTOR ACTIVITIES

1. PROCEDURES BEFORE COMMENCEMENT OF SITE WORK

The Contract

The school should develop a contract document which covers all matters relevant to the contracted work. The contract document will vary in detail depending on the nature and size of the proposed activity.

The contract document for visitors, for example, may be limited to signing of the visitors book at the reception area. The visitors sign-in book should also contain the basic rules of entry where applicable.

The contract document for a major project will cover all aspects of potential liability, evidence of insurances and a documented health and safety programme, and many more items.

Insurances

All contractor's engaged by the company should be required to provide evidence of insurance coverage including:

- Workers' Compensation
- Public Liability
- Motor Vehicle Third Party Property Damage, and
- Professional Indemnity Insurance, where applicable

A contractor's order of acknowledgment form should be completed and returned with insurance documentation.

2. SITE SAFETY RULES AND PROCEDURES

Each school has safety rules and regulations for normal operations to protect its employees. The same standards are to apply to contractors and their employees whilst on site.

- The company should provide copies of its safety rules and regulations to the contractor prior to the contract being signed, and request the contractor to provide a commitment that his company can comply with the safety rules and regulations.
- In the case of a major project the contractor would be required to show the company evidence of its safety programme. This would usually take the form of a safety manual.
- In the case of a visitor it would mean reading the safety rules in the visitors book and signing the book.

Emergency Procedures

The school's responsible officer will provide a copy of the company's emergency procedure manual to the contractor representative who will advise all contractor employees at induction.

The school's general site safety induction will have a segment on emergency evacuation procedures but it is the responsibility of the contractor representative to ensure that all contractor employees are fully aware of the procedures.

3. RESPONSIBILITY OF THE COMPANY

The school is ultimately responsible for ensuring all contract activities are carried out in a safe and healthy manner. The company will ensure contractors are properly (formally) informed of their role and delegated responsibilities.

In order to achieve this, the following will occur;

The school will include the main OHS&E requirements/standards to be met in all tender and contract documents.

The school will issue to the contractor all relevant site safety rules and regulations.

For each contract the company will nominate a company responsible officer for the contract who has specific responsibilities to communicate with the contractor and to regularly review/inspect the contractor's operations.

4. RESPONSIBILITIES OF THE CONTRACTOR

The contractor is responsible for ensuring that all company and legislative requirements are met and that permits to work are obtained (where required) and signed.

The contractor representative will:

- a) establish contact with the company responsible officer upon initial arrival at the operation;
- b) maintain regular (daily) contact with the company responsible officer;
- c) ensure all contractor employees are aware of the company's safety rules and regulations by way of an induction programme;
- d) ensure all accidents are reported to the company responsible officer and that all serious accidents are investigated using the company's accident/incident investigation report form;
- e) conduct daily safety and housekeeping inspections of the contractor's area of operations.

PART B: GUIDELINES FOR SPECIFIC TYPES OF CONTRACTOR ACTIVITIES

1. REGULAR CONTRACTOR (DEFACTO EMPLOYEES)

Regular contractors can include but are not limited to; contract drivers, cleaners, gardeners, canteen staff and overload office and maintenance staff. These people typically work on the company's premises, often working alongside company employees and maintaining similar work hours.

Expressions of interest should be sought from prospective regular contractors. Tender documentation should include the need for comprehensive insurance cover and requirement to comply with all site OHS rules and regulations.

In most states these contractors are deemed (under the "test of control") to be employees in regard to certain entitlements e.g. workers compensation. Therefore in terms of OH&S, regular contractors should be treated similarly to company employees. This involves undergoing the same induction as company employees and adhering to the same safety procedures and rules as company employees.

1.1 Insurance

Must indemnify contractor and should indemnify principal against all losses beyond principal's control.

1.2 Contract

Should be used to control Liabilities making contractor liable for all consequences of his or her agents actions or omissions.

1.3 Induction – Two phases

- (i) General company safety induction
- (ii) Specific Workplace inductions with information on:
 - job instructions
 - workplace layout
 - safe work procedures

- emergency procedures (particular attention should be paid to informing temporary staff emergency procedures)

If a temporary clerical person is engaged to perform a receptionist's duties, he/she will need to be thoroughly trained in all company emergency procedures including;

- emergency evacuation
- telephone/bomb threat
- hold-up procedures

1.4 Responsibilities of the Contractor

Identification

Regular contractors are only allowed to enter parts of the operation in which they are contracted to work (as for other departmental employees) unless authorised by a nominated company officer.

Regular contractors should also wear an identification badge, particularly if employees wear some form of identification e.g. uniforms.

The contractor badges should include the;

- name of the contract company, if applicable
- area of school they are allowed to enter (eg. the work area)
- date of expiry of contract/permit

Company responsible officer will keep a contractor log book;

- to record the details for each contractor employee issued with an identification badge, and
- to record the information against a badge number identifying each individual badge.

Any contractor who misplaces his/her identification badge will be required to obtain another from the company responsible officer.

Compliance with OHS Rules and Procedures

Company responsible officer will issue a copy of the company's OHS rules and procedures.

Regular contractor employees are required to comply with all company OH&S rules and procedures.

Regular Safety and Housekeeping Inspections

Contractor will;

Conduct daily safety and housekeeping inspections of the contractor's area of operations.

Any deficiencies in relation to workplace health and safety are to be addressed by the contractor representative immediately, and any necessary changes made to equipment or procedures to comply with the company's OH&S rules and procedures.

If a problem cannot be immediately remedied it is to be immediately reported to the company responsible officer.

Reporting of Accidents/Incidents

All accidents resulting in injury to any person or property damage is to be immediately reported to the company responsible officer immediately using the company's accident/incident form.

2. ROUTINE DELIVERIES CONTRACTOR

'Routing deliveries contractor' is a contractor who usually delivers or picks up items of everyday use and includes;

- raw materials deliveries
- couriers
- canteen deliveries
- office supply deliveries
- equipment parts to warehouse or store

They usually go to the same location and are only on site for a short period of time.

2.1 Insurances

a) Company Initiated Delivery

e.g. office supplies

b) Non Company Initiated Delivery

e.g. routine restacking of Coke in canteen/dispensing machine

Procedures for routine deliveries should include ensuring the company persons responsible for accepting deliveries are;

- aware of the contractor's visit,
- ensure the contractor visits only the location of delivery, and
- ensuring the contractor follows the agreed safe work procedures

Where the company initiates the contract activity an Admissions Form for Routine Delivery Contractors should be completed.

- A copy is to be kept by the contractor, and
- Original kept by the company responsible officer/security gate.

The contractor is to present the Admissions Form to the gate security personnel or front office prior to entering the company's premises.

The company responsible officer is to ensure the contractor is fully aware of the company's safety rules, as relevant to the task.

3. TANKER/HAZARDOUS DELIVERIES OR REMOVALS

Company's often engage contractors to deliver fuel supplies or bulk chemicals or to dispose of waste such as waste oil. Extra precautions are required to ensure fuel, chemicals and wastes are transferred and disposed of correctly and spillage risks are minimised.

3.1 Admissions Forms

The contractor is required to complete an "admissions" form for entry to the site with;

- A copy kept by the contractor
- Original kept by the company responsible officer

The contractor is to present the admissions form to the security personnel or front office prior to entry to the company's premises.

The school's responsible officer should ensure he/she is available to show the contractor the delivery or removal area and ensure the contractor remains within the designated loading/unloading zones.

The responsible officer is to ensure the contractor is aware of the company's safety rules for tanker/hazardous deliveries or removals (see Appendix 5.3).

3.2 Insurances

See earlier notes on Insurance

4. MINOR PROJECTS

- Primarily engaged to carry out repair and maintenance activities
- Occasionally undertakes small scale building modifications.
- As a guide projects do not usually exceed \$100,000 in value and can last from several hours to several days.
- Typical trades involved in minor projects include:
 - Plumbers
 - Electricians
 - Technicians
 - Local builders
 - Window cleaners

Contractors carrying out this type of work may be engaged by the company several times per year.

4.1 Insurances

Contractors must provide evidence of insurance at least in the form of certificates of currency but preferably a copy of the policy with exclusions and schedule of Limits of Cover.

- Workers compensation
- Public liability
- Professional indemnity (where applicable)
- Level of insurance

4.2 Approved Contractors List

For minor projects, contractors who have been previously approved can be placed on a list which allows selection of contractors on an as-needs basis. This eliminates the need for interviews for each minor project. There would remain a requirement to conduct specific induction training for each new job.

4.3 The Contract

Develop contract document which covers all matters relevant to the contracted work.

The contract document will cover;

- All aspects of potential liability
- Evidence of insurances and a safety programme

4.4 Induction

Two levels of safety induction will be required for contractor employees

- (i) General school safety induction
 - Relevant for twelve months after which a refresher is required.
- (ii) Specific workplace induction with information on workplace layout, safe work procedures and job instructions
 - Carried out each time the contractor employee commences a new job.

4.5 Identification

Contractor employee only allowed to enter parts of the operation in which they are contracted to work unless accompanied by a nominated company officer.

Contractors employee must wear an identification badge (provided by the company responsible officer) on their shirt pocket identifying:

- Their company
- Area of plant they work in
- Date of expiry of contract

Company responsible officer for the contract will keep a contractor log book;

- To record the detail for each contractor employee issued with an identification badge.
- Log the information against a badge number identifying each individual badge.

Any contractor who misplaces his/her identification badge will be required to obtain another from the company responsible officer.

4.6 Regular Safety and Housekeeping Inspections

The contractor representative will conduct daily safety and housekeeping inspections of the area in which the contractor is operating. Any deficiencies in relation to the company's OH&S rules and procedures will be addressed by the contractor representative immediately and changes will be made to equipment or procedures to comply with the company's OH&S rules and procedures.

If a problem cannot be immediately addressed and remedied it will be immediately reported to the company responsible officer.

The responsible officer will, in addition, conduct a safety and housekeeping inspection on a daily basis.

4.7 Reporting of Accidents/Incidents

All accidents resulting in injury or company property damage will be immediately reported to the company responsible officer.

A company accident/incident report form will be completed and given to the responsible officer within 24 hours of the incident.

4.8 Compliance with OH&S Rules and Regulations

While contractors or their employees are working on this site, their health and safety is of major importance to the site management.

For their own safety the company safety rules and regulations are required to be met by any contractor's employee on the site.

- The school is required to issue to the contractor all relevant OHS rules and regulations to enable the contractor to know the rules and regulations and to be able to comply with them.
- Some rules are required to be met by any contractor's employee on site.

- School should provide copies of its safety rules and regulations to the contractor prior to the contract being signed.
- The contractor is to be requested to provide a commitment that his company can comply with the safety rules that the contract covers.

5. MAJOR PROJECTS

“Major projects” usually involve shutdowns, (some scheduled some not), equipment, plant systems, or buildings for replacement or for extensive modification.

These projects usually require the highest level of control due to the scale and nature of the operations. As a guide only, major projects usually exceed \$100,000 in value.

Contractors working on a major project may have a large team of employees and be on site for several weeks.

There is always a definite interface with company operations requiring, for example, electrical isolation of equipment and often evacuation of company personnel while work is carried out.

5.1 Approved Contractors List

For major projects, contractors who have been previously approved can be placed on a list which allows selection on an as-needs basis. This eliminates the need for continued interviewing for each project. There would remain a requirement to conduct specific workplace induction and planning sessions for each new job.

5.2 Induction

The level of induction of contractor employees on major projects will be higher than for minor project contractor employees.

For major project contractor employees there will be three levels of safety induction;

- (i) General school safety induction
- (ii) Specific workplace induction
 - Information on workplace layout
 - Safe work procedures, and
 - Job instructions
- (iii) Third induction session

A planning session held prior to the commencement of work and involving breaking the job down to specific tasks and discussing safe work procedures involving;

- All contractor supervisors and employees
- School responsible officer
- Other relevant company employees involved in the job

Prior to commencement of the planning session the company responsible officer and contractor representative will meet and discuss;

- All aspects of the job including responsibilities of both parties,
- The induction programme,
- The safety and housekeeping inspection programme
- Accident/incident prevention procedures

Procedures to meet consultative processes required by legislation including election of one or more Health and Safety Representatives and/or the setting up of a Safety Committee.

The school's responsible officer and the contractor representative will at this time carry out an inspection of the part of the operations where the contractor employees will be working. The company responsible officer will point out particular company requirements and designate boundaries to the contractor's area of work.

5.3 Identification

Identification badges required by all contractor employees detailing:

- Their company
- Area of plant they work in
- Date of expiry of the contract
- Badge number

The company responsible officer for the contract will keep a contractor log book for recording;

- Details for each contractor employee issued, including name and badge number.

Lost or misplaced badges must be reported to company responsible officer for replacement.

Contractor employees only allowed to enter parts of the operation in which they are contracted to work unless accompanied by a nominated company officer.

5.4 Regular Safety and Housekeeping Inspections

The contractor representative will conduct daily safety and housekeeping inspections of the area in which the contractor is operating. Any deficiencies in relation to the company's OH&S rules and procedures will be addressed by the contractor representative immediately and changes will be made to equipment or procedures to comply with the company's OH&S rules and procedures.

If a problem cannot be immediately addressed and remedied it will be immediately reported to a company responsible officer.

The school's responsible officer will conduct a safety and housekeeping inspection on a daily basis.

In addition, the company responsible officer will conduct a thorough safety and housekeeping inspection weekly using a specific checklist, and discuss any deficiencies identified with the contractor representative who will rectify problems with equipment or procedures.

5.5 Reporting of Accidents/Incidents

All accidents resulting in injury or company property damage will be immediately reported to the company responsible officer.

A school accident/incident report form will be completed and given to the company responsible officer within 24 hours of the incident.

5.6 Consultative Process

Consultative processes are required to meet the relevant legislative standards in terms of Health and Safety Representatives and/or Safety Committees.

At a minimum, Safety Committee meetings will be held monthly and will involve contractor and company representatives.

An agenda will be developed and distributed to Committee members at least one week prior to each meeting.

Action oriented minutes will be produced after each meeting. Copies will be given to each representative present and a copy of the minutes will be displayed on a notice board for the contractor operations.

6. CASH DELIVERY

“Cash delivery” is any delivery of a significant amount of cash to the site, whether as part of the business trading operations or through security firms (e.g. cash pays), and requires additional precautions. As a guide only, cash deliveries resulting in more than \$2,000 on site at any one time should follow these guidelines.

NOTE: Consider electronic funds transfer system to remove the need for the following:

Extra security precautions are required to ensure safety for the security and company personnel.

Cash deliveries will usually always go to the one location – the pay office.

Security firm to notify a designated company officer prior to the visit and nominate the time of arrival.

Designated company officer should ensure that he/she is on site and available to meet the security personnel on their arrival to accept the cash delivery.

If there are front gates, the gates should be shut and locked immediately after the security vehicle has entered the premises and the gates are to be locked during the time pays are being given out to employees.

The company may request the security firm to supply officers to be present on site during the time pays are given out to employees to increase the security presence.

The same precautions should apply if a security firm is used to pick up cash from the contractors operations.

PART C: GUIDELINES FOR VISITORS

1. GENERAL VISITORS

“Visitor” is any person who does not normally work at the site and includes head office personnel and people from other companies.

Usually visitors are accompanied by a company officer. Government Inspectors are a special class of visitor and must be accompanied whilst on site and have every courtesy extended to them. Most legislation provides for significant powers for Inspectors so extra care and due courtesy should be provided.

Visitors to the company’s operations are;

- Required to have made an appointment with a company officer prior to their visit.
- To report to the reception office upon entering the company’s operation.
- To inform the receptionist of the name of the company officer and the appointment.

The Receptionist;

- Will contact that officer to have him/her come to the reception to meet the visitor.
- Will provide a numbered visitors’ card to the visitor.

In the visitors book, the visitor is to write;

- Name,
- Company,

- Time of arrival, and
- Company officer contact

This detail will be logged against the visitors' card number.

The visitor will return visitor's card and sign out in the visitors book at the reception office.

Responsibility of company officer meeting visitor;

- To accompany the visitor to the location of their meeting
- To ensure that the visitor does not enter any areas of the operation which are hazardous to the visitor's health or safety

2. GOVERNMENT INSPECTORS

Government inspectors are a special class of visitor. Most Legislation provides for significant powers for inspectors and extra care and due courtesy should be provided. All statutory visitors must be accompanied whilst on site.

Standard visitor requirements should be utilised wherever possible in relation to Government inspector visits.

When an inspector arrives the employer is to;

- Request completion of visitor book and issue with visitor identification badge.
- Allot an appropriate senior person to accompany the inspector whilst on site.
- Ensure affected employees are informed that they should assist the inspector.

However, no person is required to answer questions or give evidence tending to self incriminate and should only give factual answers.

Inspectors have the power to;

- Enter any workplace at any time of day
- Take samples, photographs
- Give directions

The inspector will provide observations of the visit and notify of taking any samples.

Copies of photographs and duplicate samples should also be requested and identified.

Remember it is an offence to obstruct an inspector.

USEFUL LINKS

Contractor Guidelines - Determining Rateable Remuneration for Contractors under the WORKPLACE INJURY REHABILITATION AND COMPENSATION ACT 2013

www.workcover.vic.gov.au