



CSG 15 Contractor Management

CARE We work and communicate with our Contractors to keep each other safe

1 Guideline at a glance



What

This guideline provides information on how Sutherland Shire Council (SSC) manages the Work Health and Safety (WHS) of Contractors.



Who

All SSC employees who engage a Contractor to carry out work or provide a service for SSC.



Why

SSC is responsible for the health and safety of its Workers including Contractors. The safety behaviours of Contractors are monitored to make sure we are not putting them at risk, and they are working safely in line with their own processes and Safe Work Method Statements (SWMS).



How

Lead it	Oversee, resource, and support the Work Health and Safety Management System (WHSMS) of SSC.	Executive
Manage it	Implement this guideline to ensure Contractors are managed by the relevant SSC Employee.	Manager
Appoint it	An SSC Employee needs to be responsible for the work and monitoring of the Contractor.	Contractor Manager
Assess it	Assess the work to identify hazards and risks facing the Contractor.	Contractor Manager
Scope it	Clearly identify and communicate to the Contractor about the work required.	Contractor Manager
	The scope of works needs to be written into tenders and request for quotation (RFQ), so Contractors know the hazards and risks associated with the job they are doing.	
Engage it	The first choice for a Contractor is from the SSC preferred Supplier list as their WHS compliance has already been checked.	Procurement
	The Contractor carrying out the work will be selected based on information they supply in their tender or RFQ.	Contractor Manager / Tender Panel
	The information supplied by the Contractor must be evaluated to determine if they have the WHS capacity to complete the job safely.	
Induct it	The Contractor needs to complete the online SSC Contractor induction before commencing work.	Contractor / Contractor Manager
	A site-specific induction must be carried out before work commences on site. Refer to <i>CSG 10 F5 Site induction</i> .	
	Consultation agreements are necessary for long term contracts.	



Monitor it	Monitor the Contractor to make sure they are working safely in line with their supplied WHS information.	Contractor Manager
	Contractors not complying with WHS requirements will be issued a recommendation of improvement.	
Review it	At the end of the works, review WHS performance to assess whether you will use the Contractor again.	Contractor Manager / Procurement Team
	Any issues with WHS performance need to be sent to the Procurement Team.	
Advise it	Any doubts with Safety concerns contact the Safety Team	Safety Team

2 Our guideline in detail

Icon Key	Mandatory action	Correct action	Required timeline
	Forms, checklists or tools	Incorrect action	Risk

Responsibility for Contractor Management



Contractor Manager

Appointing an Employee

- The SSC employee delegated the responsibility and authority to engage the contractor will be appointed as the contractor manager. This may involve the selection and engagement of the contractor for the works to be completed.
There needs to be a delegated authority to carry out the necessary WHS management of the Contractor which includes:
 - monitor Contractor WHS performance
 - issue recommendations if they identify any departures from WHS requirements
- The appointed role is responsible for ensuring:
 - Contractors comply to WHS specifications
 - WHS issues are avoided through regular monitoring and communication
 - Both SSC and the Contractor meet their obligations
 - the Contractor is informed of any changes to the contract
 - records of the contract are maintained

Engaging the Contractor



Delegated Employee and Procurement Team

Engaging Preferred Suppliers

- Preference will be given to Contractors on the SSC Preferred Suppliers List. The Procurement Team makes sure Suppliers have and maintain their:
 - Workers' compensation and public liability insurance
 - required license/s and permits
 - plant and equipment registrations
- In the event that a Preferred Supplier Agreement does not exist for the proposed works, next preference needs to be given to Southern Sydney Regional Organisation of Councils (SSROC), State or Local Government preferred Suppliers



For more information on procurement of Contractor see:

- *SSC Procurement Policy and Procurement Guidelines*

Engaging Non-Preferred Suppliers



When there is a need to engage a Contractor that is not on a Preferred Suppliers List you must obtain a copy of:

- a current ABN
- Workers' compensation and public liability insurance
- required training, license/s, permits or qualification
- registered plant and equipment



A Non-Preferred Supplier needs to be engaged in line with:

- *Sutherland Shire Council Procurement Policy and Procurement Guidelines*

Selection & Evaluation of Contractor



Delegated Employee and selection panel

Preparing the contract



Associated hazards and risks need to be communicated to the Contractor. This can be done through:

- tender and quotation documentation or expressions of interest
- Contractor induction on smaller jobs



When preparing the WHS requirements for the contract, consider:

- hazards and risks associated with the type of work or location of work
- relevant Acts, Regulations, Codes of Practice and Standards
- WHS risk management methodology
- required license/s, permits, and certificates required for the work undertaken
- verification of competency requirements for the Workers of Contractor
- WHS performance measures the Contractor will have to meet
- SSC WHSMS requirements
- issue resolution process



Guidance is available in:

- *CSG 15 R1 – Writing WHS specification for Tenders and Quotations*

For guidance on competency requirements see:

- *Verification of Competency - Plant Risk Ranking and Training Requirements Matrix.*



Where there is written tender or RFQ issued using the SSC Procurement Templates, it needs to include a mandatory schedule for WHS



The WHS schedule needs to include:

- *CSG 15 F1 - Expression of Interest (EOI) Applicant or Tender WHS Questionnaire and Verification Form*

Evaluation and selection of a Contractor



The extent of the evaluation will depend on the hazards and risks associated with the contract and the size and complexity of the contract.

Contractors will be evaluated on their:

- understanding of WHS relevant to the contract and supplied documentation
- capabilities and resources for WHS

- proof of appropriate insurances (public Liability, Professional liability, Workers Comp), Licences.
- past WHS performances and references

Tenders and quotation are entered into Vender Panel.



More information can be found in:

- *CSG 15 R2 - Evaluation of WHS for Tenders and Quotations*

Commencement of Work under Contract



Delegated Employee

Before work starts



Before a Contractor commences any work at SSC, a representative of the Contractor must complete the WHS Contractor induction on behalf of Person Conducting Business or Undertaking (PCBU). This requires them to acknowledge their Responsibilities, Authorities and Accountability for safety while working at SSC. This will be in the form of a PDF version that will be sent out to the contractor.

The Contractor must also be given a site-specific induction before commencing work. It is the responsibility of the Contract Manager to organise, for the Contractor to be site specific inducted. This can be done either by the Contractor Manager themselves or by a SSC representative of the specific worksite.



Contractors, Consultants, Volunteers, Work Experience, Group Training Organisations, Workers and Visitors need to be inducted using:

- *CSG 10 F5 – Site Induction*

Contractor Managers are required to save all site induction forms to their Business Unit folder. The below is the Objective pathway to follow.

Unit Objective location: Objective – Global Folder – Document Library – Personnel – WHS New Unit Management Area – Business Unit Folder – Induction Checklist

Consultation, cooperation and coordination with Contractors



How we consult and type of consultation with Contractors needs to be recorded as:
Short term contracts (under 5 working days)

- an agreed consultation and communication method can be documented in an email or site diary

Long term contracts (over 5 working days)

- need to enter into a Consultation, Cooperation and Coordination agreement with SSC to ensure health and safety duties are carried out by SSC and the Contractor



Long term contract agreements need to be documented using:

- *CSG 15 F4 Contractor Consultation and Cooperation agreement*



Monitoring Contractors

Contractor Manager

Contractor on site

- ✓ When Contractors arrive on site you need to check they:
 - have required training, license/s, permits or qualification
 - have been inducted on site
 - have necessary equipment and materials to carry out the work safely
 - have SWMS, if required, with the relevant SWMS signed off by all workers performing task.
 - have correct Personal Protective Equipment (PPE) supplied by the Contractor

Monitoring WHS performance


- ✓ Contractors who carry out work or provide a service to SSC need to be monitored for compliance with WHS requirements and the terms and conditions of the contract. The level and frequency of monitoring for a contractor will be influenced by several factors including:
 - the degree of risk associated with the contractor’s task e.g., High risk construction work
 - complexity of the task performed by the contractor
 - the risk associated with the location
 - previous reviews of the contractors/consultants WHS performance

Note: As a general rule the higher the risk associated with either the work and or the location, the higher the need or frequency for monitoring of the Contractors activities.

Monitoring WHS Performance - Inspection Frequency			
Contractor Activity Type			
Less than 5 days	High Risk	Multiple sites	All other
One inspection required	Weekly inspections required	Randomised Inspections to be completed of sites	Monthly inspections required

- ✓ If the contractor activities are 5 working days or less than one inspection is required.
- ✓ When a contractor is deemed to be high risk, a weekly inspection to ensure compliance with all site safety rules is to be completed.
- ✓ Where a contractor is located across multiple sites or multiple crews randomised inspections are to be completed by the contractor manager.
- ✓ For all other contractor activities, the monitoring process shall include:
 - monthly inspections of the worksite to ensure compliance with all site safety rules, compliance with safe work method statements and risk assessments.

-  For monitoring of Contractors use the following form:
 - CSG 15 F5 – Contractor Monitoring Form

-  For monitoring of labour hire workers use the following for guidance
- *CSG 15 R4 - Monitoring Labour Hire Worker*

- ✓ Managers and Supervisors in control of areas where Contractors are working (who have not directly engaged the Contractor) need to make sure their work activities do not pose a risk to the Contractor.
- ⚠ If a contractor's work is posing a risk to SSC Employees, immediately contact the delegated Contractor Manager to consult with the Contractor.

Issues with contractor WHS performance



Contractor Manager and Procurement Team

Contractor performance

- ✓ Where WHS requirements are not followed or an unsafe act is witnessed, the Contractor Manager needs to make a recommendation to the Contractor to explain what has happened and how they are going to rectify it.
Where Employees are not in control of the Contractor and have identified a departure from WHS requirements, they need to contact the Contractor Manager immediately. The Contractor Manager needs to investigate the report and take appropriate action.
- ✓ Contractors failing to respond to a recommendation from the Contractor Manager, the Contractor Manager will then consult with the Procurement Team to have that particular contractor reviewed.
- ✗ Never tell or instruct a Contractor how to fix a WHS problem. It is their responsibility to control the way they do the work and comply with WHS requirements.
- ⚠ Telling a Contractor what to do to comply with WHS may overstep your WHS responsibility and make you responsible if an injury occurs to one of their Employees. Provision of advice is recommended instead.

WHS issue resolution

- ✓ If a WHS issue arises between SSC and the Contractor, follow the process documented in *CSG 15 F4 Contractor Consultation and Cooperation agreement*

Figtree Reporting of Poor WHS performance

- ✓ For any reported poor WHS performance by the Contractor the delegated employee is required to document this information using the SSC Figtree Incident Reporting System

Review of Contractor WHS Performance



Contractor Manager and Procurement Team

Review of performance

- ✓ Review is intended to determine how effective and adequate the Contractor's safety performance and management were during the works. This information is an important resource to guide future awarding of contracts.

Reviews can take place at:

- the completion of a contract
- agreed set intervals for long term contractors such as preferred suppliers

- ✓ Review activities should include:

- how effectively the Contractor managed their WHS responsibilities
- communication on WHS
- incidents and injuries sustained during the work
- types of WHS monitoring activities and their frequency
- interaction with other parties (other Contractors, Sub-Contractors, Public)

if recommendations were issued to the Contractor and the Contractor's response to them

Records



Contractor Manager

Record Keeping

- ✓ Records of Contractor monitoring and performance need to be kept demonstrate documented evidence of SSC's due diligence in relation to the contracted work. These records will be important in situations where the Contractor is in breach of WHS requirements or if a significant injury or accident occurs from work performed by the Contractor.

The Contractor Manager shall source the following documents in relation to WHS from the Contractor:

- Copies of the WHS risk assessments and SWMS
- WHS site inductions and inspections
- Contract documents
- WHS site observations e.g., Monitoring form, site records etc
- Safety instructions or corrective actions issued – *(if applicable)*
- Contractor / consultant response to corrective actions
- Minutes of site WHS meetings
- Incident/injury reports and investigation reports

Records are to be filed in the relevant:

- job file
- project file
- event management file or
- depending on the circumstances, a Unit based WHS Objective file



WHS records of contractor performance are to be kept and maintained in line with:

- *CSG 13 Document Control and Records Management Guideline*



3 Resources and Guidelines

Related documents

Internal documents	<ul style="list-style-type: none"> CSG 13 Document Control and Records Management Guideline CSG 15 F1 - Expression of Interest (EOI) and Tender Application WHS Questionnaire and Verification Form CSG 10 F5 – Site Induction CSG 15 R1 Writing WHS specification for Tenders and Quotations CSG 15 R2 Evaluation of WHS for Tenders and Quotations CSG 15 R4 Monitoring Labour Hire Workers CSG 15 F4 Contractor Consultation and Cooperation agreement CSG 15 F5 Contractor Monitoring Form
Records	<ul style="list-style-type: none"> <i>Sutherland Shire Council Procurement Policy and Procurement Guidelines</i>
Law & Standards	<ul style="list-style-type: none"> NSW WHS Act 2011 - S19 Primary duty of care NSW WHS Act 2011 - Division 4 Duty of officers, workers and other persons NSW WHS Regulation 2017 - Chapter 3 General risk and workplace management NSW WHS Regulation 2017 - Chapter 6 Construction work NSW WHS Code of Practice – Work health and safety consultation, coordination and cooperation

Definitions

Term	Meaning in this Guideline
Contractor	An individual or organisation responsible for the performance of work specified in a contract; including vendor, seller, supplier, fabricator, labour hire, manufacturer, and consultant or service provider. A contractor is responsible for their own tools and equipment and their maintenance and repairs, hours worked, taxation and workers compensation arrangements. A contractor must have the capacity, competence and technical ability to perform the work specified in the contract.
Labour Hire Employee	An individual Employee of a labour hire company hired under contract to work for SSC.
Verification of Competency	Checking the Worker has the necessary skill, qualification and experience to work safely.

If you would like to provide feedback or have identified any opportunities for improvement on the processes and guidance contained in this document, contact

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