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1. Background

N/A

2. Purpose

The purpose of this Contractor Management Procedure is to define Ipswich City Council's (Council) expectations regarding the workplace health and safety (WHS) requirements when engaging, monitoring and managing contractors.

3. Regulatory Authority

All legislation, codes of practice and Australian Standards that relate to this procedure are contained in the Corporate Register of Legislative Requirements located on The ['WIRE'](#).

4. Human Rights Commitment

Council has considered the human rights protected under the *Human Rights Act 2019 (Qld)* (the Act) when approving and/or amending this procedure. When applying this procedure, Council will act and make decisions in a way that is compatible with human rights and give proper consideration to a human right relevant to the decision in accordance with the Act.

5. Roles and Responsibilities

5.1 Chief Executive Officer

It is the role of the Chief Executive Officer to:

- ensure the effective management of WHS within Council and compliance with this procedure;
- provide senior leadership support to enable effective implementation of this procedure; and
- provide the necessary funding to enable execution of this procedure.

5.2 General Managers

It is the role of the General Manager to:

- provide appropriate resources to adequately implement the WHS contractor management processes as detailed in this procedure;
- complete workplace monitoring activities to verify that identified WHS hazards are being effectively managed and the requirements of this procedure are being consistently complied with;
- implement and communicate this procedure within their relevant business group; and
- undertake reviews of contractors in accordance with the requirements of this procedure.

5.3 Branch Manager/Managers (Person in Control – PiC)

It is the role of the Branch Manager and Managers (Person in Control – PiC) to:

- establish workplace monitoring activities to verify the implementation and effectiveness of the WHS contractor management process;
- ensure that workers are aware of, and comply with, this procedure;
- ensure the ongoing effectiveness of the procedure in controlling the identified risk exposures in accordance with the 'Monitoring and Review' section of this procedure; and,

- undertake observations as part of the monitoring and review process.

5.4 Workplace Safety & Wellbeing Manager

It is the role of the Workplace Safety & Wellbeing Manager to:

- establish and maintain a systematic process to manage the WHS of contractors to assist ICC workers and/or representatives engaging the contractor, or Project Manager, in the engagement, induction, consultation, monitoring and performance reporting of contractors;
- provide appropriate resources to review and audit contractor WHS compliance against the requirements of this procedure.

5.5 Procurement Team

The role of the Procurement Team is to:

- include WHS requirements in all stages of the procurement and contract management process;
- retain records of contractors WHS performance; and
- during the procurement process undertake recording and maintenance of all required licences and insurances.

5.6 Project Officer

The role of the Project Officer is to:

- coordinate the safe delivery of work/projects under their banner of responsibility;
- maintain currency of knowledge of applicable WHS legislation, policies, procedures and other obligations relevant to the projects they are responsible for;
- ensure, so far as is reasonably practicable, contractors comply with all relevant Council policies and procedures where communicated or provided;
- include WHS requirements in all stages of the procurement and contract management process;
- during the procurement process undertake verification and recording of all required licences and insurances;
- coordinate the supply of job specific safety documentation from contractors;
- review all safety documentation prior to work commencing;
- undertake audits, activity inspections and safety walks to confirm that contractors comply with their work-specific WHS documentation such as WHS Management Plan (WHSMP), Safe Work Method Statements (SWMS), and Job-Hazard Analysis (JHA);
- verify to the extent reasonably practicable, that the contractors are complying with WHS contractual obligations, and that any incident reports are obtained from the contractor;
- communicate the requirements for workplace inductions, any required permits and arrange site access, major-works permits, project-works permits, and control-systems permits where required;
- receive and forward WHS reports from contractors according to terms of contract;

- report all hazards, incidents, and near misses to Council's WSW team; and
- ensure all contractor incident notifications and investigations are conducted in accordance with Council's incident investigation procedural processes.

5.7 Principal Contractor

The role of a Principal Contractor is to:

- comply with the relevant WHS requirements of the contract and/or terms of engagement;
- ensure adequate signage is posted identifying the Principal contractor;
- preparation of the WHS management plan (including relevant site rules), traffic management plans, site/task-specific documentation etc.;
- inform all persons of plan before they commence and duty to review – must remain up-to-date;
- obtain/develop specific SWMS before high-risk construction work commences;
- put in place arrangements for ensuring compliance with specified requirements such as facilities and amenities, and;
- manage risks associated with materials and waste, plant, traffic and essential services.

5.8 Contractor

The role of a Contractor is to:

- comply with the relevant WHS requirements of the contract and/or terms of engagement;
- undertake frequent risk assessments of sites and work areas, ensuring mandatory site visits prior to work commencing;
- review all site-specific documentation relevant to the work being undertaken;
- ensure only competent qualified workers undertake the work;
- undertake safety assurance activities to confirm that all workers comply with work-specific WHS documentation such as WHSMP, SWMS, and JHA;
- comply with all lawful and reasonable safety directions provided by the Project Officer;
- provide information to ICC on work activity undertaken, including details of hours worked on ICC sites, LTI's, MTI's, results of assurance activities completed, and any other reasonable information requested by ICC;
- report WHS and environmental hazards, incidents and near misses associated with a Council workplace or while performing work for Council to the Project Officer; and
- provide incident reports to the Project Officer when required.

5.9 Worker

The role of a Worker is to:

- request a contractor to stop work if there is an imminent risk to WHS or to the environment, and until that risk is adequately resolved; and
- assist with incidents investigations if/when required.

6. Key Stakeholders

This procedure will apply to contractors and suppliers who have been awarded a contract/s by Council or engaged to perform work either by or on behalf of Council and will dictate the process prior to, during and post contracted/engaged work.

7. Education and Training Requirements

For projects, sites and other relevant workplaces where ICC maintains PCBU it is the responsibility of ICC to ensure a valid construction industry induction training white card or blue card is held by all contracted construction workers in addition to valid tickets, high risk and trade licenses and/or verification of competencies applicable to the tasks being undertaken by each worker.

However, for sites where PC has been awarded, the principal contractor has an obligation to ensure all construction workers on their site have a valid construction industry white or blue card, as well as valid tickets for high risk work, trade licences and necessary competencies specific to the work being conducted.

The Project Officer may request to review these records if they perceive a potential issue or as part of a random safety inspection. If a non-compliance is suspected, the Project Officer is to report this to the principal contractor in the form of a safety observation.

8. Procedure

8.1 Scope

This procedure applies to all Council workers, business and work activities where contractors have been engaged to undertake work for, or on behalf of, Council.

8.2 Engaging a Principal Contractor

A person conducting a business or undertaking (PCBU) that commissions construction work valued at \$250,000 or more (often referred to as the client) is by default regarded as the principal contractor. However, a client can appoint another PCBU as a principal contractor by authorising them to have management or control of the workplace where the construction work will take place.

It is recommended that any authorisation or appointment regarding the principal contractor be documented and signed by the relevant parties to ensure a clear definition of roles.

Where a client has commissioned two or more construction projects and intends to appoint different principal contractors to each one, it is essential that the workplaces associated with each construction project are defined as separate and distinct. Only one PCBU can have management or control of a defined workplace at any given time, as S293 of the Work Health and Safety Regulation (2011) states that a construction project can have only one principal contractor at any specific time.

8.3 Construction Work Greater Than \$250,000

The Work Health and Safety Regulation (2011) defines a construction project as any project that involves construction work where the cost is \$250,000 or more. This is an increase from the previous value of \$80,000.

Each construction project will have a principal contractor who has specific duties under the WHS Regulation, in addition to their duties as a PCBU.

- A construction project covers all the activities involved in the construction work process. The cost of construction work can be determined by the contract price for carrying out the work, which can be determined including the following:
 - project management costs;
 - cost of fittings and furnishings; and,
 - taxes, levies, or charges payable in connection to the work, excluding GST.

Work valued at less than \$250,000 is not deemed to be a construction project.

8.4 Construction Work Less Than \$250,000

A client can authorise a contractor to have management or control of a workplace for construction work that is valued less than \$250 000 (and is therefore not a construction project). However, in this situation the contractor would not inherit the additional duties of a principal contractor under part 6.4 of the Work Health and Safety Regulation (2011).

Assigning management and control of a workplace to a contractor does not transfer ICC's responsibilities as a PCBU. Assigning management and control simply allows the contractor to work under their own safety management system and to manage their own workers and work activities in line with their safety management system. ICC will be the PCBU and must maintain the same level of supervisory and compliance activities as we would for any other ICC work activity.

9. Phase 1 - General Procedure – Scope & Planning

9.1 Contractor Planning Meeting

After the contract has been awarded, the Project Officer or PiC must conduct a contractor planning meeting with the contractor and relevant stakeholders (as identified by the Project Officer or PiC) prior to any works commencing. This meeting must clarify all WHS and environmental requirements (including but not limited to permits, key contacts, site access, WHS and environmental documentation, known site hazards, licences and competencies, schedule for monitoring of works, and reporting requirements).

9.2 Kick-Off Meeting

The Project Officer will facilitate a kick-off meeting with the contractor prior to the works commencing to make the contractor aware of the requirements to comply with the following:

- all contractors, including their subcontractors, have undertaken the required inductions and have relevant qualifications/tickets;
- all relevant site access and permits/approvals are in place; and,
- all contractors WHS and environmental documents have been submitted and reviewed following feedback from the previous contractor planning meeting.

9.3 Pre-Start and Work Authorisation Meeting

The following WHS activities are to occur following the award of the work to the successful contractor, but prior to any work being performed, ICC shall:

- request and review that the contractor provide all scope of work WHS system items commensurate to the risk level and complexity of the work and may include but not limited to:

- WHS policy;
- Project specific plans (i.e. safety plan, traffic plan);
- Project specific JHA's;
- Project Specific SWMS;
- Relevant licenses and qualifications.
- pre-start meeting to be conducted with contractor to discuss WHS requirements, including;
 - induction to the site - This meeting is to resolve the process of induction that is to occur for any further staff the contractor may need to subsequently bring to the site, OR in the case of a stand-alone worksite, if the contractor is to undertake subsequent site-specific inductions;
 - agreed communication processes where not specified in the contract, such as WHS reporting contacts, performance expectations, and WHS reporting timeframes; and,
 - essential WHS information equivalent to the scale of works being undertaken.
- ensure that provisions for a site specific inductions are in place and determine whether Council or contractor will facilitate site inductions for workers. At a minimum, inductions should cover the following topics:
 - Site safety rules and policies;
 - Site amenities and welfare facilities;
 - Emergency procedures;
 - Site specific hazards and control measures;
 - Reporting mechanisms for hazards, near misses and unsafe work practices;
 - Reporting mechanisms for incidents, injuries and dangerous incidents;
 - Process to manage injured or ill people;
 - First aid provisions; and,
 - Details of the consultative processes including how safety issues and disputes are resolved on site.
- if principal contractor has been awarded to the contractor then it is the role of the contractor as PC to ensure the aforementioned induction content is communicated and verified.
- all inductees must sign off an attendance form acknowledging they have attended and understood the content and expected performance outcomes of the induction; and,
- any visitor to a construction site may be granted permission to enter and shall always be accompanied by a worker who holds a valid Construction Industry Induction Training White Card.

10. Phase 2 - General Procedure – Execution of Works

10.1 Contract Delivery – Council as PCBU

During delivery of the contract works, the Project Officer shall:

- verify that all relevant persons have received a site specific induction sighting signed record for each worker prior to commencing work on site.
- establish regular meetings with the contractor to discuss WHS matters in conjunction with other contractual topics. WHS topics for discussion at these meeting shall include:
 - Workplace hazards and risks.
 - Report and review of incidents.
 - General housekeeping requirements.
 - Provision and maintenance of safe plant and structures and safe systems of work.
 - Safe use, handling and storage of plant, structures and substances.
- monitoring and supervision of contractors activities by conducting:
 - Inspections on the WHS performance of the contractor by completing the Contractor Inspection Form (WSW-FOR-011 – Contractor Inspection Form).
 - Assurance activities on the project-specific WHS system, WHS procedures, WHS plans (safety management plan, traffic management plan etc.), JHA's and SWMS.
- issuing any non-conformances identified, recorded and appropriate remedial actions determined with the contractor, but are to be subject to approval by the Project Officer:
 - If the Project Officer observes or becomes aware that the contractor is not conducting the work in compliance with the contract, project specific WHS system or relevant legislations or in a manner as to endanger the health and safety of workers, the general public or any other person, they shall;
 - Direct the contractor to immediately remedy the identified breach; and/or
 - Direct the contractor to suspend work until such time as the contractor resolves the breach and work can continue in a safe manner.
- if the contractor fails to rectify the breach, the works shall be suspended and/or the Project Officer shall contact ICC's Work Safety & Wellbeing Manager immediately for support.
- copies of any contractor's lead and lag WHS performance measures must be readily accessible (e.g. toolbox minutes, safety complaints, incidents, dangerous incidents and near miss reporting, notes of safety related interactions with customers or regulatory authorities) as agreed in the contract documentation.
- undertake any WHS incident investigations that may be necessary (as per WSW-PRO-007 - Incident Management Procedure). If an incident involves a Notifiable Incident or Event (death, serious bodily injury, work-caused illness or dangerous incident), the contractor is required to verbally advise the Council and follow up in writing to the relevant Council representative within 24 hours. The written advice is to include any proposed remedial or corrective actions.
- request the contractor to verbally advise of any correspondence or interaction with a Regulatory officer or inspector in respect to the contract works and the details of their enquiry, within 24 hours of first contact. Furthermore, that this verbal advice is to be confirmed in writing if requested by the Project Officer.

Refer to Appendix 1 as a guide to the intended inspection schedule.

10.2 Contract Delivery – Contractor as Principal Contractor

During delivery of the contract works, the Project Officer shall:

- consult, cooperate and coordinate on WHS matters with the principal contractor. It is important to recognise that having appointed the contractor as the principal contractor they have lead responsibility for WHS, and Council's duty is to actively support the principal contractor in conducting their work safely and effectively.
- establish regular meetings with the contractor throughout the works to discuss WHS issues pertinent to the work. These meeting can be in conjunction with other required project meetings, and may include topics such as;
 - Reported incidents, near misses and hazards,
 - Review of preventative and/ or corrective actions,
 - Safety related non-conformances and corrective actions,
 - Audit results; and,
 - Discussion on any ICC reported safety observations (e.g. hazards, unsafe acts) and the proposed actions the contractor shall implement to address the safety observation.
- copies of any contractor's lead and lag WHS performance measures must be readily accessible (e.g. toolbox minutes, safety complaints, incidents, dangerous incidents and near miss reporting, notes of safety related interactions with customers or regulatory authorities) as agreed in the contract documentation.
- monitor the contractors activities by conducting: assurance activities on the project specific WHS system, WHS procedures, WHS plans (safety plan, traffic plan, etc.), JHAs, SWMS.
- issuing any non-conformances identified, recorded and appropriate remedial actions determined with the contractor, but are to be subject to approval by Project Officer;
 - If the Project Officer observes or becomes aware that the contractor is not conducting the work in compliance with the contract, project specific WHS system or relevant legislations or in a manner as to endanger the health and safety of workers, the general public or any other person, they shall:
 - Direct the contractor to immediately remedy the identified breach; and/or
 - Direct the contractor to suspend work until such time as the contractor resolves the breach and work can continue in a safe manner.
- If the contractor fails to rectify the breach, the works shall be suspended and/or the Project Officer shall contact ICC's Work Safety & Wellbeing Manager immediately for support.
- Undertake any WHS incident investigations that may be necessary (as per WSW-PRO-007 - Incident Management Procedure). If an incident involves a Notifiable Incident or Event (death, serious bodily injury, work-caused illness or dangerous incident), the contractor is required to verbally advise the Council and follow up in writing to the Project Officer within 24 hours. The written advice is to include any proposed remedial or corrective actions.

- Request the contractor to verbally advise of any correspondence or interaction with a Regulatory officer or inspector in respect to the contract works and the details of their enquiry, within 24 hours of first contact. Furthermore, that this verbal advice is to be confirmed in writing if requested by the Project Officer.

Refer to Appendix 1 as a guide to the intended inspection schedule.

10.3 Non-Conformances

During the performance of contracted works, the Project Officer can request that work be stopped if they are informed with evidence or observe that the contractor is:

- not conducting the work in compliance with applicable legislation, JHA and/or SWMS;
- conducting the work in such a way as to endanger the WHS of workers or the general public; or,
- conducting the work in such a way as to impact or potentially impact the environment or contravening legislative requirements.

The Project Officer or stakeholder (including but not limited to WSW Representatives where appointed) will discuss these concerns with the contractor and request that the work method is reviewed to rectify the issues raised.

If this does not address the concerns, a Notice of Non-Conformance will be issued by the Project Officer and will direct the contractor to immediately cease the activity, and to make safe and remedy the breach.

If the contractor is unable to remedy the breach immediately, the Project Officer is to direct the contractor to suspend all work until such time as the contractor provides evidence that the work can be resumed in a safe manner.

If the contractor is working under a contract which includes specific processes for managing a non-conformance, the non-conformance must be issued in accordance with contract terms.

If the contractor fails to rectify any WHS or environmental breaches for which work has been suspended, or if the contractor's performance has involved recurring WHS and environmental breaches of, ICC reserves the right to reasonably terminate the work forthwith in accordance with contract terms, depending on the severity of the issue.

11. Phase 3 - General Procedure – Completion of Works

11.1 Post-Project Activities

As a part of the works completion phase of the project the Project Officer or nominated representative must do a final walk of the site to confirm the site has been returned to a pre-work standard, ensuring the site is free of hazards (or potential hazards) and that any known hazards are adequately controlled.

In addition, the Project Officer should:

- complete a copy of WSW-FOR-012 - Contractor Safety Feedback form by the relevant contractor;

- request and record all required documentation and training (where previously agreed upon) of new installations, including safety processes which have been undertaken with all relevant stakeholders, and integral to the handover process;
- recording any updates that have been made to any relevant risk registers, confined space register, hazard chemical register and asbestos register (where required); and,
- complete a review of the contractors WHS performance on the contract works and record this on the relevant contract file.

In the event that the contract was awarded as principal contractor, the Project officer shall request all relevant safety records to be recorded on the relevant contract file.

12. Monitoring and review

This procedure will be reviewed four years from the date of approval, or earlier in the event of changes to legislation, a significant incident has occurred and related to this procedure, or a change in Council requirements regarding the management of contractors working with/for ICC.

To ensure compliance with this procedure, a formal audit should be conducted. The audit should be completed by the relevant Branch Manager or delegate with the audit comprising an assessment of the systems and processes for contractor management and a field observation component to verify the application of these requirements.

Determination is to be made as to the work groups' level of compliance with the requirements of this procedure.

13. Related documents

[WSW-FOR-011 – Contractor Inspection Form](#)

[WSW-FOR-012 - Contractor Safety Feedback](#)

14. Definitions

For all definitions and acronyms, please refer to the 'Corporate Register of all Definitions and Acronyms' located on The '[WIRE](#)'.

15. Process Model

N/A

16. Procedure Owner

The General Manager (Corporate Services) is the procedure owner and the Workplace Safety and Wellbeing Manager is responsible for authoring and reviewing this procedure.

17. Appendix 1

Schedule of Inspections	Safety Observations	Moderate Risk Project (tier 2)	Construction Work (<\$250k)	High Risk Project (tier 3)	Construction Project P.C (>\$250k)	Contractor Planning Meeting	Kick Off Meeting	Pre Start Meeting	Post Project Activities
Position:									
Branch Manager									
Project Officer									
WHS Business Partner									

Inspection Frequency [Legend]									
Daily		Weekly		Fortnightly		Monthly		Project-Based	