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## 1. Background

The procurement for a safe workplace procedure defines the requirements, responsibilities and methods to be utilised in the purchasing of goods, services and works and the disposal of assets for Ipswich City Council.

In conjunction with the Procurement Code of Practice it has been created to place safety as a priority when assessing the supply of goods and services and the selection of contractors and works.

## 2. Purpose

The primary purpose of this document is to provide guidance and define processes to be followed to ensure:

- the inclusion of health and safety requirements in purchasing specifications for goods, services or mixed goods/services and the selection of contractors;
- the effective communication of tender/request for quote specifications to the supplier of the goods, services or mixed goods/services;
- the verification of purchased goods, services or mixed goods and services against the purchasing specification, including health and safety requirements, upon receipt and the implementation of processes to address any non-conformance prior to affected assets being used in Council operations (e.g. non-conforming goods being returned to the supplier); and
- the monitoring of the suppliers/ contractors to ensure safe delivery of services (detailed in the Contractor Management procedure).

This document only provides guidance and processes covering the work health and safety (WHS) requirements during procurement. This document is intended to be used alongside the processes described in Council's procurement procedure (Procurement Code of Practice).

## 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 which is 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

The Chief Executive Officer is responsible and accountable for:

- organisation-wide procurement outcomes.

### 5.2 General Managers

General Managers are responsible and accountable for:

- promoting consistency in procurement practice across the organisation through utilisation of the Procurement Code of Practice;
- sound and appropriate strategic procurement decisions by their departments; and
- in conjunction with the CEO, review and approval of any recommendations from the Manager, Procurement to improve procurement controls.

### **5.3 Manager, Procurement**

Manager, Procurement is responsible and accountable for:

- creating awareness of the Procurement Code of Practice and providing consistent guidance to Council officers, contractors and consultants on its application;
- ensuring the procurement team understands the Procurement Code of Practice and monitor the provision of advice to achieve consistency in its application;
- providing support to the procurement team through additional guidance at required times in order to achieve the best outcome for internal customers; and
- conducting regular compliance and exception reporting to maintain an appropriate control framework, to assist management with better decision making and provide improvement recommendations for CEO and Executive to approve.

### **5.4 Workplace Safety and Wellbeing Manager**

Workplace Safety and Wellbeing Manager is responsible and accountable for:

- maintaining constant liaison with the Manager, Procurement to prioritise supplier and tender evaluations based on business needs and priorities; and
- ensuring that all evaluations and assessments meet, at a minimum, legislative requirements, Council values and objectives and industry standards.

## **6. Key Stakeholders**

The following parties will be consulted during the review process:

- Procurement Branch
- Workplace Safety and Wellbeing

## **7. Education and Training Requirements**

Knowledge in basic risk assessment and risk control techniques is required. Appropriate clear communication skills are essential.

## **8. Scope**

This procedure applies to all Ipswich City Council (ICC) workers:

- allocated the task of raising a procurement request (requestor or preparer);
- allocated responsibility for procuring;
- workplace safety and wellbeing (WSW) partners; or
- receiving or verifying receipt of goods, services or mixed goods and services.

## 9. Procedure

### 9.1 Obligations:

Under WHS laws there is a general duty to provide a safe workplace and safe systems of work. The legislation requires Council to:

1. Implement a process of hazard identification and risk control and review in all systems of work.
2. Provide training (induction and ongoing) to all persons.
3. Consult with workers and safety representatives whose work is directly affected by decisions or changes in the workplace.
4. Implement and review control measures.

Risks must be eliminated so far as reasonably practicable or where it is not possible to eliminate the risk entirely, the risk must be reduced so far as reasonably practicable.

### 9.2 Determination of Workplace Health and Safety Involvement

Any goods, services, mixed goods/services and contractors to be procured will be evaluated to determine whether any characteristic or property of the procurement poses a risk to the health and safety of any person, including workers, visitors or members of the public. A procurement will be classified as low risk (Tier 1), medium risk (Tier 2) or high risk (Tier 3) based upon assessment detailed in **Appendix 1 – WSW Risk Tier Assignment**.

Once a supplier of goods, services or mixed goods and services has been assessed and approved by WHS, they will be considered 'WHS Approved' to supply the Council for that type of product or service.

#### 9.2.1 'WHS Approved' Suppliers

ICC will maintain a list of 'WHS Approved' Suppliers listing. The 'WHS Approved' Supplier listing documents the following:

- ICC's 'WHS Approved' Supplier reference code;
- the expiry date of the 'WHS Approved' status;
- the contracting organisation's general details, including company name, ABN, address, and contact details;
- a description of the goods, services or mixed goods and services provided by the contracting organisation that have been assessed and approved by WSW. Only goods, services or mixed goods and services that have been assessed and approved by WSW should be included, NOT all goods/ services the supplier provides;
- the details, including expiry dates, of the contracting organisation's insurances, registrations, licences, and permits to operate, relevant to the approved goods, services or mixed goods and services; and
- provides copies of the contracting organisation's WHS management system (when required).

The addition of a supplier to the 'WHS Approved' Supplier listing is based upon capability to fulfil the specified purchase at the pre-determined WHS risk level.

When a purchase request is submitted by the procuring branch, procurement may assess whether an approved supplier can be utilised (subject to Local Government Act and Local Government Regulation requirements). 'WHS Approved' suppliers may be contracted to deliver the goods, services or mixed goods and services for which they have been approved without submission of a new risk assessment. This exemption only applies for goods, services or mixed goods and services that have been assessed and approved by WSW. In cases where procurement is from an 'WHS Approved' Supplier but is of a good, service or mixed good and service that has not been approved, the WHS risk assessment process must be completed in full as if it were a new supplier. If the good, service or mixed good and service are then assessed and approved by WSW, the 'WHS Approved' Supplier entry should be updated to include the new good, service or mixed good and services.

The procurement team is responsible for ensuring that the previous risk assessment is reviewed as part of the pre-purchase process to ensure its suitability and adequacy. A new risk assessment is required if it is found to be unsuitable or inadequate however the previous risk assessment can be used as the basis for the new document.

If a 'WHS Approved' supplier cannot be engaged to fulfil the purchase, procurement shall assess the purchase against criteria defined by WSW to determine the level of risk the procurement may pose to Council and the community. If the goods, services or mixed goods and services do not meet criteria that would classify them as medium (Tier 2) or high (Tier 3) risk purchases, they are considered to be of low (Tier 1) risk and do not require a WSW risk assessment, otherwise, an assessment must be carried out by a WHS officer.

### 9.2.2 Procurement of a Hazardous Chemical

During the procurement of a hazardous chemical, every effort should be made to find an existing chemical on Council's Chemwatch Register from a 'WHS Approved' supplier prior to the purchase being approved. Further instructions and requirements can be located in the purchasing chemicals section of Council's Chemical Management procedure.

### 9.3 WSW Risk Assessment Process

A WSW risk assessment is mandatory for all procurements that qualify as being of **Tier 2** or **Tier 3** risk levels with the exception being procurement from 'WHS Approved' Suppliers as described above. WSW must be engaged at this time to assess and determine any obligations or requirements that ICC and the supplier must meet. The obligations and requirements of ICC and the supplier should already be clearly defined for 'WHS Approved' suppliers of **Tier 2** and **Tier 3** goods, services or mixed goods and services, however WSW must still be engaged to implement monitoring of safety throughout the procurement process.

For procurements of **Tier 1** risk level WSW does not need to be engaged. As with the higher risk tiers, **Tier 1** goods must meet Australian Standards (AS) if applicable (e.g. personal protective equipment) and any workers must be provided with a site induction if they must enter a Council worksite to provide a service.

For a WSW risk assessment to be conducted, the assigned WHS risk tier and description of the procurement must be provided to the workplace safety and wellbeing team. This description can be brief however it must contain enough information so that a third party can clearly understand what the goods, services or mixed goods and services entail.

### 9.3.1 WSW Assessment for Goods

A WSW advisor will assess the risk to workers and the community posed by the purchase of goods assessed as being Tier 2 or Tier 3. If the good being procured is a replacement for an equivalent item already in use within ICC, the risk assessment for the original item can be used after ensuring that control measures described in the document continue to be adequate to minimise risks posed by the good.

In determining any adverse impacts on health and safety posed by the good or any obligations or requirements that ICC must meet, the following will be considered:

- could a reasonably foreseeable injury or incident occur in the course of normal or unanticipated use, storage or transport of the goods to be purchased?
- are there any specifications which are required to ensure the safe operation or use of the goods?
- do the goods need to comply with any legislation, Codes of Practice or Australian/ International Standard/s?
- will a safe work instruction need to be developed to ensure health and safety of workers using or handling the goods?
- do our workers have the capabilities, skills and knowledge to properly handle, use, store, and transport the item or is additional training required?
- does the good require additional services such as installation, commissioning, decommissioning, and dismantling?

If the good would be considered a 'plant', additional considerations are required and are described in section 9.3.2, WSW Assessment for Plant. Goods that are considered 'plant' include any machinery, equipment, appliance, container, implement and tool, and includes any component or anything fitted or connected to any of those things. Plant includes items as diverse as lifts, cranes, machinery, pressure vessels, conveyors, forklifts, vehicles, power tools and amusement devices.

### 9.3.2 WSW Assessment for Plant

Procurement of plant will follow the same procedure outlined in all previous sections. During the acquisition of plant, any risks to health and safety will be identified prior to the acquisition of plant through the completion of a WSW Plant Assessment using the plant using the plant acceptance checklist. This assessment will be based upon information obtained from the designer, manufacturer, importer or supplier of the plant.

When being supplied with plant ICC will take all reasonable steps to obtain the following information from the supplier or manufacturer of the plant:

- information regarding the installation, commissioning, decommissioning, use, handling, storage, and dismantling of the plant;
- information regarding the hazards and health and safety risks arising from the use of the plant;
- information regarding the inspections and tests to be carried out on the plant;

- information regarding the safe systems of work and competency of operators required for safe operation of the plant; and
- information regarding emergency procedures to be followed in the event of a malfunction of the plant.

From the information provided by the procuring branch and the supplier, the WSW plant assessment will consider the following information provided by the supplier:

- the purpose for which the item of plant was designed or manufactured against the use that ICC intend for the plant;
- the results of any calculations, analysis, testing or examination;
- any specific conditions required for the safe operation of the plant;
- any alterations or modifications made to the plant; and
- use of the plant, extending to the operation, maintenance, inspection, testing and cleaning of the item of plant.

The WSW Plant Assessment will also determine the following:

- any hazards and risks associated with the plant during installation, commissioning, operation, maintenance, repair, transport, storage and dismantling of the plant;
- any additional control measures required to be implemented by ICC to minimise the identified hazards and risks;
- the manufacturer's recommendations relating to the type and frequency of inspections and maintenance required;
- any special skills and competency required for personnel to safely operate the plant or to safely undertake the required inspections and maintenance;
- any special conditions or equipment required to ensure the health and safety of personnel carrying out installations and commissioning, operation, inspections, and maintenance; and
- any alterations or modifications to be made to the plant prior to being placed into service.

The WSW Plant Assessment will also determine whether plant includes any or all of the following:

- any contact with or access to dangerous parts, moving or rotating, prevented using guarding and protective structures;
- the plant is of sturdy construction and tamper-proof design;
- there is no obstructions to the plant operator;
- the plant has fail safe operation;
- the plant is easy to inspect, maintain and clean;
- the plant does not introduce other hazards, for example, manual handling and excessive noise, into the workplace; and
- the plant incorporates measures to minimise risks during use.



The WSW Plant Assessment will result in, and not limited to, the following:

- a recommendation to purchase or not, or any conditions to be met before the purchase of the plant would be further considered;
- the need for safe work instructions for the installation and commissioning, operation, inspection, maintenance, transport, storage and cleaning; and
- the need for additional licensing, certification, and training for workers.

When hiring plant, the supplier is to be advised that the plant will be subject to an inspection for basic safety using the plant acceptance checklist.

For all truck and mobile plant hire, the plant acceptance checklist is to be completed. The completed form is to be handed to the supervisor of the work being carried out.

All hired plant is to be visually inspected. Any plant that is rated as unacceptable due to a fault is to be returned to the provider and not used until repaired. Although this plant or equipment is on hire it should still be made inoperable and tagged, if practicable.

Plant provided and directly supervised by a contractor is the contractor's responsibility. If, however, workers are concerned as to the suitability of major plant they should report the matter to the site or project supervisor, who will then contact the contract manager for direction.

Should plant require repair or maintenance whilst being used, the plant is to be rendered inoperable (Lock-Out and Tag-Out). The supervisor for the work is to be informed, the supplier contacted and arrangements made for repair/maintenance to be affected as soon as practicable.

### 9.3.3 WSW Assessment for Services or Mixed Goods and Services

A WSW advisor will assess the risk to workers and the community posed by the procurement of services or mixed goods and services which have been assessed as being Tier 2 or Tier 3. The WHS implications of procuring mixed goods and services will require both considerations described in this section and those in section 9.3.1 WSW Assessment for Goods.

After being engaged to assess a service or mixed good and service that have been assigned to be Tier 2 or Tier 3, the WSW partner will determine what WHS obligations and requirements must be met by ICC and the supplier to ensure risk to workers and the community is minimised.

To determine the obligations or requirements that ICC must meet in ensuring an engaged supplier/ contractor is capable of delivering the desired service or mixed good and service, the following will be considered:

- what obligations and requirements are outlined in relevant legislation, Codes of Practice or Australian/ International Standard/s?
- is the use of plant required to deliver the service and does the plant require registration with an appropriate authority? What other procedures must be in place to operate the plant safely (i.e. tested and tagged, service, maintenance and inspection records)?
- what licencing, inductions and/ or competencies will the workers require?
- what appropriate training and mandatory qualifications/ certifications are required?

- what documentation and records management are required to manage the safety of workers during the delivery of the service (e.g. WHS policy, WHS management system or plan, WHS management system or plan, JHAs, SWMS, inspection/ audit procedures, incident investigation)?

After identifying the obligations or requirements that ICC must meet in ensuring a supplier/ contractor is capable of delivering the procurement safely, the required control measures that the supplier/ contractor is expected to have, or will have, in place will be clearly described as a list of WHS specifications.

#### 9.4 Communication of Specifications

The selection of a supplier/ contractor will be undertaken by procurement in accordance with ICC Procurement Policy, and the Procurement Code of Practice. WSW will advise procurement of the WHS specifications to be incorporated into the purchasing specifications.

Purchasing documentation is forwarded to the supplier/contractor via Council's agreed sourcing platform, vendor panel.

The supplier/ contractor must provide evidence that they are capable of meeting the WHS specifications.

Prior to finalising the engagement of a contractor, unless otherwise agreed, WSW will assess the evidence provided by the supplier/contractor to determine if the supplier is capable of fulfilling the procurement safely.

If a supplier/contractor does not meet the WHS obligations or requirements outlined by WSW they cannot be engaged until this is rectified. The inadequacy will be communicated to the supplier/contractor and they may be allowed to address the inadequacy within a stipulated timeframe depending on Council requirements. Although we may allow a supplier/contractor the opportunity to provide evidence that they are able to meet the WHS obligations and requirements expected of them, repeated non-conformance will result in the supplier/contractor being deemed unsatisfactory by the WSW unit for engagement for the particular procurement.

#### 9.5 Receipt of Goods, Services or Mixed Goods and Services

The verification of WHS requirements is required upon receipt of the good or goods to ensure that the WHS requirements, as defined in the purchasing specification or risk assessment, have been met.

The process by which WHS requirements are verified for services or mixed goods and services is detailed in WSW contract management process must be conducted by the requestor, site manager or project manager. WSW must be notified once a supplier/ contractor has been engaged so that the verification of delivery on WHS specifications can be organised (e.g. through reports, audits, inspections).

Examples of verification WHS specifications for goods include the following:

- checking to ensure that containers are clearly labelled;
- checking that a good is labelled to indicate that it has been made to comply with the relevant Australian Standard; and

- checking the compatibility of the good to be stored in compliance with the hazardous chemical requirements.

In circumstances where the specified WHS requirements or control measures cannot be verified or have not been met, the good or goods will be quarantined in a specifically designated area and the appropriate tag will be affixed. Where the good is defective plant or equipment, it will be isolated in accordance with managing plant to prevent its operation.

Items that are unable to be verified or are determined to be non-conforming may be repaired by the supplier or returned to the supplier.

If a hazard is not identified prior to purchase but becomes apparent once the good has been received or used, a hazard will be raised. A review of the product specification and risk assessment will be reviewed. An hazard report will be raised to detail the corrective actions required to eliminate or minimise the risk of injury or illness to an acceptable level. This will be managed through Skytrust. Copies of risk assessment and product specification will be uploaded with the incident report.

### **9.5.1 Receipt of Hazardous Chemicals**

If practicable, the requesting worker, or a trained worker from the same organisational unit, should receive the hazardous chemical upon delivery. It is the responsibility of the worker who receives the hazardous chemical to ensure the product:

1. meets the tender specifications (e.g. labelling and comes with an SDS);
2. is stored appropriately after receipt; and
3. information is recorded correctly in the Site Register and has also been sent to the WHS unit to be recorded in Council's Master Register.

A more detailed instruction on how to correctly receive purchases of hazardous chemicals can be found in Council's chemical management procedure.

## **10. Monitoring and review**

This procedure is to be reviewed in accordance with corporate requirements for review of procedures.

## **11. Related documents**

Safety standard number 14 and Procurement Code of Practice  
Plant acceptance checklist

## **12. Definitions**

For all definitions and acronyms, please refer to the corporate register of all definitions and acronyms located on the [WIRE](#).

## **13. Process Model**

N/A

## **14. 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.

## Appendix 1 – WSW Risk Tier Assignment

Workplace safety and wellbeing has identified criteria that separate a procurement into either low (**Tier 1**), medium (**Tier 2**) or high (**Tier 3**) WSW risk purchases. These criteria are intended encompass the majority of procurements within ICC however there may be circumstances that elevate the risk associated with a procurement. If required, WSW will elevate the risk tier during assessment.

A procurement will be considered as being of high WHS risk (**Tier 3**) if the procured services or mixed goods and services involve any of the following:

- risk of a person falling more than 2 metres;
- any construction work;
- likely to involve disturbing asbestos;
- temporary load-bearing support for structural alterations or repairs;
- work on or near energised electrical installations or service;
- tilt-up or precast concrete elements;
- work on, in or adjacent to a road, railway, shipping lane or other traffic corridor in use by traffic other than pedestrian;
- work on a telecommunication tower;
- diving work;
- work in or near water or other liquid that involves a risk of drowning;
- work in areas with artificial extremes of temperature;
- work in an area with movement of powered mobile plant;
- work in an area that may have a contaminated or flammable atmosphere;
- work on or near chemical, fuel or refrigerant lines;
- work on or near pressurised gas mains or piping;
- use of explosives;
- work in or near a shaft or trench deeper than 1.5 m or a tunnel;
- work in or near a confined space;
- demolition of load-bearing structure;
- installation of Fire and Life Safety equipment;
- pyrotechnics (e.g. fireworks, smoke machines); and/ or
- defined as being High Risk under Code of Practice or State/Federal Legislation.

A procurement will be considered as being of medium WHS risk (**Tier 2**) if the procured goods, services or mixed goods and services involve any of the following:

- purchase or use of hazardous chemicals;
- delivery of service with multiple contractors;

- purchase of gases;
- delivery of food service at ICC events (food vendors and stalls);
- provision of amusement/rides services;
- purchase or installation of plant/powered equipment;
- office fit out, non-electrical work;
- penetration/damage to building. If JHA determines asbestos presence is likely, activity elevated to **Tier 3**;
- work in a restricted area (e.g. elevator shafts/ roofs); and/ or
- providing training for High Risk/ Legislative work or Field-based training.

A procurement will be considered as being of low WHS risk (**Tier 1**) if the procured goods, services or mixed goods do not involve any criteria from **Tier 2** or **Tier 3**.

## Appendix 2 - Possible control measures

Possible control measures that may be specified for a **Tier 2** procurement to appropriately manage risk:

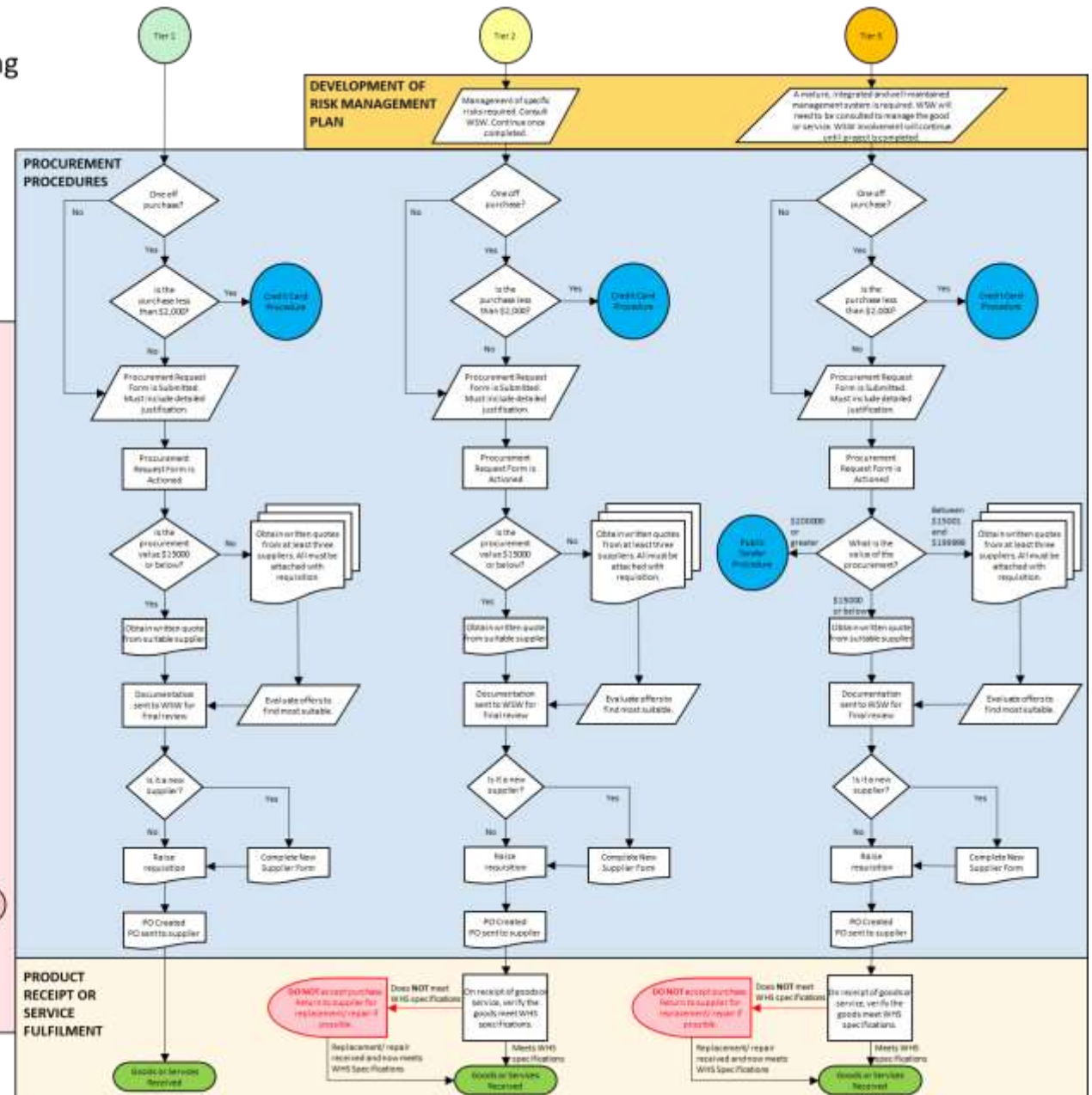
- WSMS certified to AS/NZS4801/ ISO45001 or equivalent;
- any procured goods meet Australian Standards;
- regulatory compliance licenses;
- Job Hazard Analysis (JHA);
- Safe Work Method Statements (SWMS);
- WHS Training Matrix (including training related SWMS);
- competencies;
- Safety Data Sheets (SDS);
- Chemical Risk Assessments;
- registration and licensing of plant;
- log book and maintenance manuals;
- information of enforcement action taken by regulator within the past 24 months; and/ or
- list of notifiable incidents and/ or prohibition notices within the past 24 months.

Control measures specified for a **Tier 3** procurement to appropriately manage risk will include those from **Tier 2** in addition to the following:

- WSMS certified to AS/NZS4801/ ISO45001 or equivalent;
- Safety persons on site;
- principle contractor arrangements;
- sub-contractor management;
- safety KPIs;
- site management plans;
- traffic management plans;
- construction management plans;
- details of any actions taken by a Regulator within the past 5 years; and
- list of notifiable incidents and/ or prohibition notices within past 5 years.

Appendix 3  
Procurement Safety  
Process Flowchart

Section (1).  
Procurement process including  
assessment of Risk Tier





## Section (2). Minimum WSW Requirements prior to work commencing

For procurements assessed as Tier 2 or Tier 3, Workplace Safety and Wellbeing (WSW) must be contacted at the Development of Risk Management Plan stage of the Section 1 flowchart.

### TIER 1: LOW RISK

If applicable, user must ensure all goods meet Australian Standards. No WSW involvement required.

**NOTE:** It is the responsibility of the procuring Branch to ensure any contractors complete the required induction process where applicable.

### TIER 2: MODERATE RISK

The procurement comes with specific risks must be managed. WSW must be contacted to determine what controls must be established.

Possible controls required to manage risk include those of the lower tier in addition to:

- WSMS certified to AS/NZS4801/ ISO45001 or equivalent
- Regulatory compliance licenses
- Job Hazard Analysis (JHA)
- Safe Work Method Statements (SWMS)
- WHS Training Matrix (including training related SWMS)
- Competencies
- Safety Data Sheets (SDS)
- Chemical Risk Assessments
- Registration and licensing of plant
- Log book and maintenance manuals
- Information of enforcement action taken by regulator within the past 24 months.
- List of notifiable incidents and/ or prohibition notices within the past 24 months

### TIER 3: HIGH RISK

The procurement requires a complete Workplace Safety Management System (WSMS) to be developed. WSW must be contacted to develop, enact and enforce the management system throughout the procurement and delivery processes.

Controls required to manage risk include those of all tiers in addition to:

- WSMS certified to AS/NZS4801/ ISO45001 or equivalent
- Safety persons on site
- Principle contractor arrangements
- Sub-contractor management
- Safety KPIs
- Site management plans
- Traffic management plans
- Construction management plans
- Details of any actions taken by a Regulator within the past 5 years
- List of notifiable incidents and/ or prohibition notices within past 5 years

## Section (3). Contractor monitoring requirements

### TIER 1: LOW RISK

- General monitoring throughout the course of the contract by engaging procuring Branch.

### TIER 2: MODERATE RISK

- On site monitoring of contract to ensure WSW requirements are met by engaging procuring branch
- Frequency and nature dependant on associated risks
- Scheduled meetings with contractor
- May be inspected by WSW

### TIER 3: HIGH RISK

All monitoring requirements of previous tiers and:

- Scheduled meetings must be on a monthly basis at a minimum
- Incident management follow up as required
- OWSW and Procuring branch inspections will occur at a frequency depending on risk.