

HEALTH & SAFETY CONTRACTOR MANAGEMENT PROCEDURE

Section	People & Culture
Contact	Director Health, Safety & Wellbeing
Last Review	n/a
Next Review	July 2022
Approval	Director Health, Safety & Wellbeing

Purpose:

The purpose of this document is to define how contractors at Massey University will be selected and managed with respect to the health and safety of workers, and the risks associated with their work.

Scope:

This procedure applies to all staff who engage contractors on a “contract for services” basis, across all sites and operations of Massey University. This procedure should be read alongside, and in the context of, the Contract Management Policy and Procedure.

Definitions:

Contractor: Any individual or organisation that provides services under a contract for services. This definition excludes suppliers who do not undertake work for Massey University and only supply goods or materials.

Contract Manager: The Massey staff member with responsibility for ensuring that the rights and obligations under the contract are met.

Job Safety Analysis (JSA): A document which describes the steps to be undertaken within a task, the hazards or risks that will arise for each step, and the controls that must be put in place to manage that risk.

PCBU: A “Person Conducting a Business or Undertaking”, as defined by the Health and Safety at Work Act 2015

Ring-Fence: The establishment of a discrete and easily identifiable work area that is under the complete control and management of the contractor, and where Massey University has no staff, students, or operations within that area. It must be subject to access control (such as fences), and Massey acts only as a client organisation. Typically, a Tier 1 construction project.

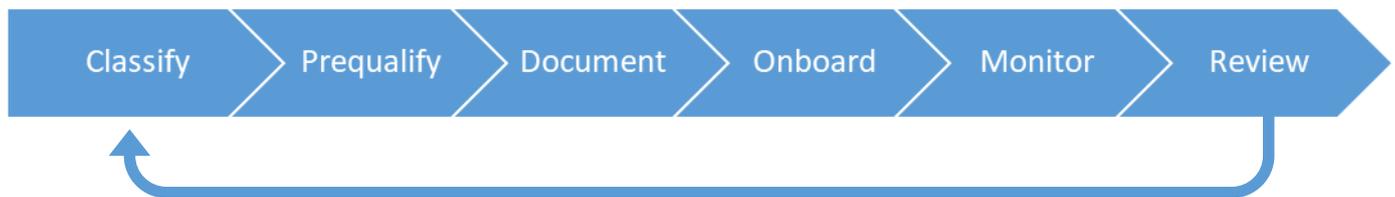
Subcontractor: An individual or organisation which is providing services directly to a contractor of Massey University under a contract for services. There is no direct contract between Massey and this PCBU.

Safe Work Method Statement (SWMS): Has the same meaning as Job Safety Analysis, and is the term commonly used in the construction industry

HEALTH & SAFETY CONTRACTOR MANAGEMENT PROCEDURE

Worker: Has the same meaning as contained with the Health and Safety at Work Act 2015, and for the purposes of this procedure includes all employees, contractors, subcontractors, labour hire, apprentices/trainees, and volunteer workers.

Contractor Management Lifecycle



Contractor Classifications

At the commencement of any contract or project, Massey shall assess the classification of the contractors involved, based on the following factors:

- The size and complexity of the contractor organisation,
- the type of work that will be undertaken,
- the location of the work, and
- the degree to which Massey University will exercise control and influence over the work

Contractors will be managed on the basis of the classification to ensure the appropriate level of effort and diligence is applied where appropriate, while avoiding small or simple contracts being subject to significant management effort.

Class 1 Contractor: Work is undertaken by the contractor for Massey University, however the work, the processes and the equipment used is managed by the contractor, and the worksite is “ring-fenced” and handed over to the contractor for the duration of the project. Massey does not apply direction or influence as to how the work is to be undertaken, however may set site expectations and minimum standards. *Generally, applies to principal contractors undertaking construction activity on campus where no Massey University operations are taking place.*

Class 2 Contractor: Work is undertaken by a contractor but is within our ability to control or influence. The contractor manages how the work is done, and the equipment and process that they use – however the work is undertaken within a Massey-controlled workplace and Massey has some influence or control.

Class 3 Contractor: Work is undertaken by a contractor under our direct control. We generally manage how and where the work is done, and the equipment and process that is used.

Class 4 Contractor: The contractor is only providing expert advice or knowledge to Massey and does not undertake any physical works as part of their contract.

HEALTH & SAFETY CONTRACTOR MANAGEMENT PROCEDURE

Prequalification:

Prequalifying contractors ensures that we have selected an organisation that has the skills, experience, resources and systems to be able to undertake high-quality work that is safe for them, as well as our staff, students and any other person who may be exposed to that work. It establishes trust that is qualified by evidence and sets the tone for the contract relationship.

The degree to which an organisation must be prequalified is dependent on the classification of that contractor and may differ based on the degree to which work will be undertaken using the contractors own health and safety management system. Where a contractor uses Massey University H&S management systems, there is a reduced requirement to prequalify the contractor's system.

The table below describes the degree of prequalification required for a contractor, based on the classification assigned to them.

Contractor Classification	Prequalification Requirements	Supporting Documents
Class 1 Contractor	<p>These contractors will be required to work using their own health and safety management systems. Massey University must undertake appropriate due diligence to ensure that the contractor:</p> <ul style="list-style-type: none"> • Has the necessary skills, experience, management systems, and resources to manage the project safely • Demonstrates an ability to identify and manage risks, and plan for safe work <p>Note: Where the contractor has a prequalification accreditation from an industry organisation (eg. ISN, IMPAC, etc), this may only be used as evidence if Massey University is signed up as a client organisation and has access to the appropriate reports and information.</p>	Class 1 Contractor Prequalification Guide
Class 2 Contractor	<p>These contractors may use their own health and safety management system; however it must first be fully reviewed by Massey University to ensure that it is appropriate, and does not create conflicts with Massey systems, standards or policy. Massey University must undertake appropriate due diligence to ensure that the contractor:</p> <ul style="list-style-type: none"> • Has the necessary skills, experience, management systems, and resources to manage the project safely • Demonstrates an ability to identify and manage risks, and plan for safe work <p>Where an appropriate standard is not met by the contractors H&S management system, they may either undertake improvements to their system, or work under the Massey University H&S Management System.</p>	Class 2 Contractor Prequalification Guide

HEALTH & SAFETY CONTRACTOR MANAGEMENT PROCEDURE

	Note: Where the contractor has a prequalification accreditation from an industry organisation (eg. ISN, IMPAC, etc), this may only be used as evidence if Massey University is signed up as a client organisation to that process and has access to the appropriate reports and information.	
Class 3 Contractor	<p>These contractors will work under the Massey University H&S Management System, as they are generally small or independent operators who may not have invested in procedures or systems. Massey University must undertake appropriate due diligence and ensure that the contractor:</p> <ul style="list-style-type: none"> • Has the necessary competencies, licences and registrations where these are required • Demonstrates and ability to identify and manage risks, and plan for safe work 	Class 3 Contractor Prequalification Guide
Class 4 Contractor	<p>These contractors will undertake work under the Massey University H&S Management system. Massey University must undertake appropriate due diligence and ensure that the contractor:</p> <ul style="list-style-type: none"> • Has the necessary competencies, licences and registrations where these are required 	Class 4 Contractor Prequalification Guide

Prequalification is the responsibility of the Contract Manager, with support from the Health, Safety and Wellbeing team where expertise is needed in assessing systems or evidence.

Once a contractor is prequalified, the contractor should be asked every 2 years (or at contract renewal) for any information relating to changes to their management systems or systems of work that may have occurred since prequalification. This may be undertaken earlier in the event of a serious safety issue, or if significant changes are made to the Contractors H&S Management System, their resources, or the type of work that is to be undertaken.

Documentation:

One of the key elements of effective contractor management is the degree to which there is consultation, communication and collaboration between PCBU's. Sharing of information allows each party to clarify expectations, agree responsibilities, and ensure effective planning (and budgeting) can be managed.

Massey University must provide all contractors with any H&S requirements and information as part of any request for tender or request for proposal, to ensure that appropriate planning can be undertaken as part of the contractor's response.

Contracts should clearly define what performance standards are expected, clearly define if the site will be handed over to the contractor (ring-fenced) and include roles and responsibilities for health and safety (including agreement on usage of management systems).

Site Specific Safety Plans (SSSP)

HEALTH & SAFETY CONTRACTOR MANAGEMENT PROCEDURE

Where a contractor is undertaking a construction project on campus, a site specific safety plan should be prepared and agreed between the principal contractor and Massey University. This must be specific for the project and, at a minimum, cover:

- Arrangements for site establishment, including
 - Traffic management (e.g. parking, deliveries, pedestrian management etc)
 - Access control and security arrangements
 - Facilities or services layouts
- Worker participation and/or consultation arrangements
- Incident reporting processes and responsibilities, including how notifications will be made
- Risk management processes and responsibilities, including permit processes
- Emergency plans
- Communication arrangements between PCBU's
- Relevant campus requirements (e.g. no smoking, etc)

Class 1 contractors will develop their own SSSP after consideration of Massey University requirements and will communicate these plans to Massey University and any other impacted PCBU.

Class 2 contractors will develop a SSSP based on Massey University standards, in consultation with Massey University (as the PCBU with the most control and influence on site). This will then be communicated to any impacted PCBU's.

Job Safety Analysis (JSA) or Safe Work Method Statement (SWMS)

Note: This requirement is for Class 2 & 3 Contractors only. Class 1 contractors will manage work as per the agreed SSSP, and Class 4 Contractors do not undertake physical works for Massey University.

Where work activities may expose the worker (or any other person) to a risk of serious injury or illness, the contractor must develop a JSA or SWMS for that work. This must be developed in consultation with the workers who will be undertaking the work and must be communicated to all workers and affected stakeholders (including the Contract Manager). Where a templated or previously developed JSA or SWMS is to be used, this must be reviewed with the workers involved to ensure that it appropriately describes the activity and controls before it is to be used.

At a minimum, the JSA/SWMS must include a breakdown of the tasks to be undertaken (in sufficient detail to allow for proper assessment), the hazards/risks that are associated with that work, and the controls that are required to manage the risk.

In the event that the actual steps to undertake work begin to differ from those detailed within the JSA/SWMS, work must cease immediately and the workers shall review and update the JSA or SWMS to ensure that all hazards and risks are still appropriately managed.

HEALTH & SAFETY CONTRACTOR MANAGEMENT PROCEDURE

Onboarding:

Induction

All contractors must receive a health and safety induction prior to undertaking work. This must cover, at a minimum:

- Roles and responsibilities of the worker
- Overview of work that will be undertaken
- Hazards and associated controls that are required for the work/site
- Emergency procedures
- Incident and hazard reporting processes
- Available facilities (first aid, toilets, food/drink, emergency equipment etc.)
- Site requirements (no smoking, parking arrangements etc.)

Class 1 Contractors are responsible for inducting all workers (including subcontractors), and Massey University shall provide any information that may be relevant for the content of that induction.

Class 2 Contractors may be given responsibility to induct all workers, which will include any information that Massey University provides that is required for the content of that induction. Otherwise, Massey University will take responsibility for inducting all workers. The arrangements for induction shall be agreed between the Contractor and the Contract Manager at the commencement of the contract, however shall be subject to change if mutually agreed.

Massey University's Contract Manager is responsible for ensuring that all workers for Class 3 and 4 Contractors receive an induction.

Stakeholder Engagement

All contractors shall have arrangements in place to ensure appropriate consultation, cooperation and communication occurs between themselves and any stakeholder who may be impacted or affected by work. Massey University will assist in identifying these stakeholders, and in making arrangements for engagement between PCBU's.

Monitoring:

During the contract, the Contract Manager shall ensure that appropriate monitoring is in place to ensure that the work is being undertaken to an appropriate standard, that risks are being managed appropriately, and that there is a mechanism for identifying if any arrangement is not working. The timeframes for monitoring shall be based on the degree of risk that is involved in the contracted works.

For Class 1 Contractors, this monitoring shall include regular meetings between Massey University and the Contractor to ensure that all arrangements are in place and working effectively, and to share information about shared duties or risk controls. Regular site inspections shall take place, with a focus placed on ensuring that the

HEALTH & SAFETY CONTRACTOR MANAGEMENT PROCEDURE

arrangements within the SSSP are in place and are still appropriate for the contract. It is permitted for this function to be met by engaging an independent auditor, or through utilising specialist H&S staff.

For Class 2 and 3 Contractors, the focus of monitoring will be on the adherence to any SSSP that is in place, along with the verification of controls associated with JSA or SWMS. There shall also be a check that the contractor is engaging and communicating with other PCBU's and affected stakeholders as appropriate.

Where monitoring identifies an uncontrolled risk, this shall be communicated immediately to the Contract Manager and the Contractor to ensure that controls are put in place

Review:

All contractors shall be subject to a regular review process that will be arranged by the Contract Manager, which at a minimum will look at:

- Safety performance – with a particular focus on serious incidents and subsequent learnings
- What worked well between Massey and the Contractor
- What did not work well between Massey and the Contractor
- Opportunities for improvement in the way that health and safety is managed for contracts

This review should provide both parties with an opportunity to provide feedback and share opportunities for improving the health and safety of future work, or to address any concerns or issues that may have arisen. It may be undertaken digitally and does not have to be a formal meeting.

Reviews should take place every 2 years or at the completion of the contract (whichever happens first), unless triggered by serious safety concerns or incidents.

Reviews must be documented and kept on file for future reference.

Relevant Legislation:

Health and Safety at Work Act 2015

Health and Safety at Work (Worker Engagement, Participation, and Representation) Regulations 2016

Related Procedures:

Health, Safety & Wellbeing Policy

Massey University Contract Management Policy and Procedures