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SafeTsmart

Contractor Management

While visiting my parents' home recently I had the unenviable task of very strongly advising my father that the roof cleaner he had just hired must suspend work on their nearby rental properties until proper PPE (personal protective equipment) and fall protection was in place. My father, in desperation to have some moss removed, was less than enthusiastic about asking a contractor to stop work until I told him he could be looking at a very large amount of his 'retirement' being jeopardised if something happened to the contractor.

The contractor soon left looking somewhat dazed and bloodshot from accidentally spraying himself in the eye while clumsily attempting to scale a two storey ledge.

Both of parties felt very awkward, but the whole situation could have been avoided if the 'principal of the contract' had been proactive in engaging and managing the contractor.

Definitions

In order to really grasp Contactor Management, one must define *Principals of Contracts* and *Contractor/Sub-Contractor*.

Principals of Contracts:

The principal of contracts are the people who sign contracts with contractors and/or sub-contractors.

A principal is the person(s) who wants work done, they are the ones who pay the contractors on receipt of an invoice.

Principals can include employers, corporate bodies, directors, school board of trustees, self-employed people, property owners... *Home-*

owners are exempt from being a principal if the contract work is done on their own home.

Basically, If you contract or sub-contract anyone then you are responsible for 'looking out' for the safety of *their* employees.

Contractor/Subcontractor:

A contractor or sub-contractor is normally someone who is paid after issuing an invoice for work they have done. A contractor can be self-employed or an employer with employees.

Where do I start,?

Depending on the way in which you hire contractors, a good place to start is to advise current contractors that as of a certain date they will be required to supply specific health & safety documentation to your company for new contracts.

Allow sufficient time for the contractor to gather and correlate their health & safety information, if they haven't already. It is important to maintain a good relationship during this time. Allow an open dialogue and assist as required. Let them know there are lots of free resources available online. If they are struggling to correlate their health & safety information then please give them our contact details.

If contractors tender for work, it is reasonable to ask for their health & safety documentation as part of the tender.

Contractor documentation can be held on file and reviewed after a certain period. Don't forget to advise contractors of this and document their permission to do so.

What information should I ask contractors for?

Depending on the work that is to be carried out, associated hazards and whether the contractor has employees, then you can reasonably ask for the following:

- **Management Commitment** to H&S (Policies) - To ensure health and safety is a day-to-day part of their business practice
- **Hazard Management** - Every business must have a process to help identify, assess and control hazards in the workplace
- **Training & Supervision Procedures** (ie Training Register) - Employers must make sure that their employees know how to manage the hazards to which they are exposed and have the education, experience and/or expertise to carry out their tasks
- **Incident Register & Investigation Procedures** - Businesses must have a system that ensures incidents and injuries are reported, recorded and investigated
- **Emergency Procedures** - Businesses must have an effective general emergency plan to manage all types of emergency that are likely to happen
- **Sub-contractor policies & procedures** - Businesses, who contract another company to provide services, become the principal. As the principal they must have a system to make sure the contractors/subcontractors and their employees do not cause harm to their employees or themselves, or anyone else, while undertaking the work required by the contract.
- **Who is responsible** for H&S within the organisation - To identify the H&S Contact
- Ask the contractor if they have received any **past notices or convictions** under the HSE act.
- If the contractor has applicable insurance, including coverage for professional indemnity

Likewise, you should also furnish these examples on request.

What are my obligations?

Once you have assessed the contractor and they meet your standards, then prior to work commencing you should provide a Health and Safety induction to the new contractors and sub-contractors. The induction (which can be a tool box meeting) must include topics regarding:

- Who is responsible (in your company) for supervising the contractor's Health and Safety performance
- Emergency procedures relating to your work site
- The hazards relating to your workplace and procedures they must follow
- Safety equipment to be used and its location
- Any safe work practices, which MUST be followed

Throughout the contract it is also advisable to:

- Regularly check on the health and safety performance of contractors
- Voice and act on concerns when you or your staff see sub-standard health & safety procedures
- If the contract is over a long period have ongoing H&S meetings to stay informed of issues

At the end of the contract you may choose to review contractor performance, evaluate the tasks, identify improvements, and/or find solutions to problems that arose.

What do I do if the contractor has no written H&S and I must use them?

Each workplace may vary in their policies regarding contractors, but from time to time it may be necessary to use non approved contractors for specialist or emergency work. If you do choose to use them, then you should allocate a staff member to oversee the health and safety aspects of the work. This staff member will need to:

- Observe and be responsible for the contractor at all times during the work
- Have the authority (and forthrightness) to require the contractor to comply with your company safety procedures and suspend the work if the contractor refuses to comply.
- Explain all hazards and their controls that exist on the site to the contractor and his employees, document this. If a hazard register exists for the site this must be used and signed by the contractor on the sign off page of the register.
- Ensure that the contractor documents their hazards (plant, chemical etc) that they will bring to the site and the controls they will be using to eliminate, isolate or minimise these hazards.

As a principal, be wise in the contractors you engage, the cheapest contractor is not always the cheapest in the long run...

What happened to the roof cleaner?

Five minutes after the roof cleaner left his boss rang. He was pretty perturbed that his staff could not continue the job due to lack of health & safety compliance. He explained they had a health & safety manual (which cost a lot of money), they never had any accidents and all staff were issued with the correct safety gear. After his brief plea, we re-iterated his assertion of having correct documentation and that was commendable, but reasoned that it was not acceptable for the contractor to not follow the procedures on this work site. He was welcome to return if he had the correct PPE and fall protection. The employer agreed and soon became apologetic when he realised *our* predicament. The following day the roof cleaner returned with the correct PPE and a telescopic pole so the work could be completed from the ground.

In all honesty, I could hardly blame the roof cleaner or his employer for what had happened. The incident was simply poor contractor management and failure to ask the right questions before the contract was agreed upon.

Why weren't questions asked to start with? Maybe we aren't bold enough, or we feel uncomfortable in not wanting to offend a contractor? Will we make them defensive when asking for their health & safety procedures and policies? If have thought this, you are not alone but wouldn't it be easier to turn someone down or bruise another's ego than spend time and money in court proceedings, or worse - a funeral, when it could have been easily avoided? A little work at the beginning can go a long way in the end.

I empathise with you that health & safety is not always easy, but if you truly want to change or start managing your contractors effectively then the best advice I can give is do the basics, and do the basics well. Be bold and think safety smart.



A very big thank you!

Many thanks to all the service desk clients who are returning your regular reports, they help us to help you. Your reports are vital in keeping your records up to date.

There are only a few who have not reviewed your Hazard Registers, so please send them back when they are done. Don't forget hazard registers should be reviewed on an annual basis as a bare minimum. Give us a call if you are stuck or new and don't know how to review your hazards.

Changes to Obsidium: The Service Desk, has gone international! We are now assisting a handful of SafeTsmart's Australian customers. The small Sydney based office was closed recently. Brett Duff did a great job and we thank him for his efforts and wish him well. We look forward to working with our clients 'across the ditch'.

Sadly, software developer and contractor, Rizwan Afridi's last day is August the 4th. Rizwan has helped to developed some of the specially enhanced SafeTsmart web forms. We wish Rizwan all the best and thank him immensely. Good luck in your new pursuits!