

# **Health and Safety - Contractor Management Procedure - Facilities Department (Capital Planning)**

## **Section 1 - Purpose / Objectives**

(1) To ensure that Victoria University (VU) undertakes OHS due diligence when engaging contractors so that contractors and their employees, sub-contractors or others are not exposed to health and safety risks whilst on VU premises.

## **Section 2 - Scope / Application**

(2) This Procedure applies to Contractors who are undertaking work for capital planning and VU employees who are involved in the selection, management and monitoring of contractors as part of a capital works projects at any VU site or on behalf of VU.

## **Section 3 - Definitions**

(3) Contract Superintendent - A suitably qualified contractor (e.g. consultant architect) that is appointed by VU to manage capital planning projects.

(4) Minor Works - works costed at less than \$350K.

(5) Major Capital Works - capital works projects that cost more than \$350K.

(6) Rapid Global - the software system that VU uses to assist in the management of contractors' OHS whilst they are undertaking work for VU.

(7) VU Responsible Project Manager - the VU Capital Planning person responsible for initiating and/or overseeing the delivery of capital planning projects.

## **Section 4 - Policy Statement**

(8) Nil

## **Section 5 - Procedures**

(9) The procedure for the engagement of contractors for capital projects varies according to the cost of the project:

## Part A - Minor Works – Less than \$350K

### Pre-Engagement Phase

(10) The manager responsible for initiating a minor works project needs to determine the health and safety information that the construction contractor and, if applicable, the contractor managing the project (Superintendent) needs to provide to VU.

(11) These contractors need to be registered and approved on the Rapid Global software - See [Health and Safety - Contractor Management Procedure - General Contractors](#). The online OHS Pre-Qualification Questionnaire needs to be completed by contractors as part of their Rapid Global registration.

(12) The online OHS Pre-Qualification Questionnaire requests basic OHS information from contractors however further information and/or details will need to be obtained and reviewed by Capital Planning when engaging construction contractors and superintendents for minor works.

(13) See [HSW - Minor Capital Works - Contractor OHS Checklist](#) for details on the information that needs to be collected and reviewed.

(14) Sub-contractors who are engaged by contractors must be identified and also registered on Rapid Global. Sub-contractors must provide the same information as the Contractor - see [HSW - Minor Capital Works - Contractor OHS Checklist](#). The contractor must also provide evidence of how they are going to monitor compliance of their sub-contractors.

### Engagement Phase

#### VU Responsible Project Manager

(15) The VU Facilities Department will designate a VU employee with the overall responsibility for the delivery of the project. The Facilities Department may seek expert OHS advice as required.

(16) See [HSW - Minor Capital Works - Contractor OHS Checklist](#) for details of requirements for the documented contract between VU and the contractor and the information that needs to be collected and reviewed in order to ensure that the Contractors are addressing their OHS appropriately.

(17) See the Roles and Responsibilities section for details of the tasks that need to be completed by the various personnel involved in Minor Capital Works projects.

## Part B - Major Capital Works – Greater than \$350K

### Pre-Engagement – Tender Phase

(18) The VU Project Manager responsible for the major capital works project needs to determine what health and safety information VU requires from the construction contractor in order to ensure that the Contractor has a satisfactory OHS management system in place.

(19) An OHS team member shall be asked to provide advice and participate on the Tender Review Panel. When scoring the tender applicants, the Tender Review Panel must ensure that the OHS weighting is proportional to the level of risk identified during the planning and design phases of the project.

(20) The health and safety information to be obtained via the relevant tender template for major capital works projects shall include the items detailed on the [HSW - Major Capital Works - Contractor OHS Checklist](#). The areas which need to be addressed include the following:

## Governance

(21) Federal Funded Projects:

- a. All federally funded or partially funded building and construction projects must comply with the Federal Safety Commissioner's safety requirements which required potential tenders or contractors to have specific OHS accreditation\*\*.
- b. Potential tenders or contractors must provide evidence of accreditation in accordance with the Building and Construction Industry Improvement (Accreditation Scheme) Regulations 2005 (Commonwealth). For more information - see <http://www.fsc.gov.au>.

\*\*Provisions have been available since January 2015 for alliance and joint venture arrangements that include both accredited and unaccredited builders. See Regulation 24(1)(h) determination process (<http://www.fsc.gov.au>) for full details.

(22) Evidence of listing on the Victorian government's Construction Supplier Register or agency-specific supplier register (i.e. VicRoads' Register of pre-qualified contractors and consultants) AND/OR provision of evidence of health & safety certification (e.g. AS/NZS 4801, OHSAS 18001 or Safety MAP) or equivalent accredited certification OR provision of evidence of the contractor's OHS management capacity and capability which should include and address the items listed 1.2.1 of the [HSW - Major Capital Works - Contractor OHS Checklist](#):

(23) Health and safety coordination plan.

(24) Professional Indemnity / Public Liability Insurance / Workers Compensation Insurance.

(25) Risk Management

(26) OHS Resourcing

(27) Sub-Contractor Management

(28) Historical Performance

(29) See [HSW - Major Capital Works - Contractor OHS Checklist](#) for details of the items that need to be addressed for Clauses (25) to (28).

## Engagement Phase

(30) See the [HSW - Major Capital Works - Contractor OHS Checklist](#) for details of items to be addressed in the engagement phase, during the project and at the completion of the project.

(31) The Facilities Department will nominate a VU Responsible Project Manager who has the responsibility for the delivery of the project. The VU designated person should seek expert OHS advice as required.

(32) When a contractor has successfully been awarded the tender, the contract between VU and the successful contractor needs to include:

- a. A general OHS clause that sets out the contractor's OHS obligations and duties e.g. the requirement to comply with all relevant OHS legislation, regulations, codes of practice and Australian Standards applicable or relevant to the works being conducted at VU.
- b. Clarification of who the principal contractor is (as defined by the OH&S Regulations 2017). VU must –
  - i. appoint the 'principal contractor' for the construction work that is being undertaken or on behalf of VU; and
  - ii. authorise the 'principal contractor' to manage or control the workplace.

- c. The requirement for the principal contractor to:
- i. Prepare a health and safety co-ordination plan before work commences.
  - ii. Ensure that the plan is monitored, maintained and up-dated during the course of the construction work.
  - iii. Specify the minimal frequency of planned OHS meetings, toolbox and stakeholder involvement.
  - iv. Specify the minimal frequency and the defined intervals of safety audits/workplace inspections.
- d. Reporting requirements in relation to:
- i. Incidents including near misses and site visits by WorkSafe inspectors and details of improvement or prohibition notices that may be issued.
  - ii. Corrective action processes (e.g. maintenance of a register, with allocation of responsibilities, timeframes for addressing items and review of their effectiveness).
- e. Variations
- i. Detail the provision for the project team to, without any cost to the project, stop unsafe work, conduct safety audits on any part of the project and have the contractor rectify any unsafe situation.
- f. Actions at completion of Work
- i. When the project work has been completed, prior to hand over, a final inspection of the completed work should include:
    - Safety reports (e.g. injury statistics, inspections/audits completed, corrective actions register);
    - Identification of any remaining safety risks.

## Part C - Roles and Responsibilities

Roles	Responsibility
Manager initiating the contract	<ul style="list-style-type: none"> <li>• Ensure that the pre-engagement phase (or tender process) for capital works, includes the requirement for the contract company(s) to provide evidence of health and safety standards or capabilities.</li> <li>• Review submissions from potential contract companies in conjunction with other relevant others parties to determine contractors suitability.</li> <li>• Ensure the OHS weighting used to select a suitable contract company is proportional to the level of risk identified during the planning and design phases of the project.</li> <li>• Nominate a VU Responsible Project Manager to oversee the capital planning project and ensure that the standard VU construction contract is utilised so that adequate health and safety measures are in place.</li> </ul>
Procurement	<ul style="list-style-type: none"> <li>• Work with VU manager to ensure the pre engagement phase (or tender process) for capital works, includes the requirement for the contract company(s) to provide evidence of health and safety standards or capabilities.</li> <li>• Work with the manager and others to determine the successful tender application.</li> <li>• Ensure the standard VU construction contract is used in order to make sure adequate health and safety requirements are met.</li> </ul>

Roles	Responsibility
<p>VU Responsible Project Manager (nominated by facilities to manage project)</p>	<p>Minor Capital Works Projects:</p> <ul style="list-style-type: none"> <li>• Ensure that the items on the HSW Minor Capital Works Contractor OHS Pre-Engagement and Engagement Checklist are addressed and reviewed as required.</li> <li>• Ensure all contractors (including appointed Superintendents) have been approved on Rapid Global and employees have undertaken the online VU OHS Inductions via Rapid Global.</li> <li>• Review Safe Work Method Statements (SWMS's) or Job Safety Analysis (JSA's) to determine their adequacy,</li> <li>• Ensure that permits to work are issued as required (see <a href="#">Permit to Work Link</a>)</li> <li>• Select a sample of SWMSs/JSAs/Permits to Work (~5%) that cover higher risk activities (e.g. height work / traffic management) and validate that the contractor is working in accordance with their SWMS/JSAs.</li> <li>• Review how the contractor is monitoring their safety onsite e.g. ensure toolbox meetings are conducted, periodic site safety inspections are completed.</li> <li>• At the completion of the project work and prior to hand over, undertake a final inspection of the completed work with the contractor. The final inspection should include the review of safety reports (e.g. injury statistics, inspections/audits completed, corrective actions register) and the identification of any remaining safety risks.</li> </ul> <p>Major Capital Works Projects:</p> <ul style="list-style-type: none"> <li>• Seek OHS advice on as required.</li> <li>• Ensure contractors are appropriately inducted.</li> <li>• Review how the contractor is monitoring their own safety issues onsite e.g. conducting toolbox meetings, completion of periodic site safety inspections / audits (as per the contract requirements).</li> </ul>
<p>Superintendent (consultant / contractor engaged by VU to manage minor works)</p>	<ul style="list-style-type: none"> <li>• Ensure that the items on the <a href="#">HSW - Minor Capital Works - Contractor OHS Checklist</a> are addressed and reviewed as required.</li> <li>• Ensure that they are personally approved on VU Rapid Global system as a VU contractor and that they satisfy VU's requirements for engagement.</li> <li>• Complete the relevant Rapid Global induction(s) prior to commencing work onsite,</li> <li>• Ensure that relevant VU Permits to Work are issued as required.</li> <li>• Oversee minor works on behalf of VU to ensure the construction contractor works in a safe manner by ensuring that: <ul style="list-style-type: none"> <li>- Safe Work Method Statements (SWMS's) or Job Safety Analysis (JSA's) are adequate for the works to be completed.</li> <li>- Contractors are working in accordance with both the VU permit to work requirements and the contractors SWMS/ JSA's.</li> <li>- Select a sample of SWMS's/JSA's/Permit to Work's (~5%) and validate the work methods being used while the work is in progress.</li> </ul> </li> </ul>
<p>Contractor</p>	<p>Minor Capital Works</p> <ul style="list-style-type: none"> <li>• Ensure that their business and their sub-contractors are approved on VU Rapid Global system as VU contractors and that they satisfy VU's requirements for engagement.</li> <li>• Ensure that their employees and sub-contractors' undertake online VU OHS inductions via Rapid Global prior to commencing work for Victoria University.</li> <li>• Ensure that their employees and sub-contractors' employees will be required to sign in via the Rapid Access terminal located in the VU Campus security office prior to commencing work.</li> <li>• Submit Safe Work Method Statements (SWMSs) or Job Safety Analysis (JSA's) that cover their work activities.</li> </ul>
<p>Security</p>	<p>Minor Capital Works Projects:</p> <ul style="list-style-type: none"> <li>• Ensure all contractors sign in and out of site using Rapid Access (issue keys / fobs).</li> <li>• Refuse entry to contractors and sub-contractors if they are not current on Rapid Global (i.e. company, not registered or approved, online induction not done, insurances not up to date etc.).</li> </ul>
<p>OHS Team</p>	<ul style="list-style-type: none"> <li>• Provide advice and support when requested to do so.</li> <li>• Participate in the Tender Review Panel for Major Capital Works Projects so as to ensure that the OHS weighting is proportional to the level of risk identified during the design phase of the project and that tender applications are scored appropriately.</li> <li>• Audit compliance to this procedure as part of audit plan.</li> </ul>

## Section 6 - Guidelines

(33) Nil

## Section 7 - References

(34) [Occupational Health and Safety Act 2004 \(Vic\)](#)

(35) [Occupational Health and Safety Regulations 2017 \(Vic\)](#)

(36) [Occupational Health and Safety Amendment Regulations 2014](#)

(37) Health and Safety in Construction Procurement (A Handbook for the Public Sector) Edition No. 1 October 2010

### Supporting Documents

(38) [HSW - Minor Capital Works - Contractor OHS Checklist](#)

(39) [HSW - Major Capital Works - Contractor OHS Checklist](#)

(40) [Purchasing Policy](#)

(41) [Purchasing Procedure](#)

(42) [Contracts Policy](#)

(43) [Financial Code of Conduct - Independent Contractor Procedure](#)

(44) [Health and Safety - Contractor Classification Procedure](#)

(45) [Health and Safety - Contractor Management Procedure - General Contractors](#)

(46) [Health and Safety - Contractor Management Procedure - Outsourcing Major Services](#)

(47) [Health and Safety - Permit to Work Procedure](#)

(48) [Health and Safety - Confined Spaces Procedure](#)

(49) [Health and Safety - Asbestos Management Procedure](#)

(50) Minor Works Contract Conditions — Superintendent Administered (AS 4905 — 2002) — VU modified

(51) General Conditions of Contract (AS 4000 — 1997) - VU modified

## Status and Details

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