

Protocol: Contractor Management

Last Modified: September 2014
Review Date: March 2015
Approved By: Sharon Butt, Health & Safety Manager
Contact: [Health & Safety Team](#)

Table of Contents

Introduction.....	1
Definitions	2
Responsibilities	4
Contractor/Sub-contractor Health and Safety Considerations	6
Reporting	10
Related information	12
Further information.....	12

Introduction

Health and Safety in Employment Act 1992

The Health and Safety in Employment Act 1992 requires, amongst other matters, for employers, principals and persons in control of a place of work to (in general):

- provide and maintain a safe Place of Work
- ensure employees, Contractors, Sub-contractors (and others) are not exposed to hazards arising in or near a place of work under the employers/principals/person in control's jurisdiction
- develop procedures for dealing with emergencies that may arise while employees, Contractors, Sub-contractors (or others) are at work.

The University of Canterbury (University) has a duty of care and responsibility to ensure that Contractors/Sub-contractors and their employees are not harmed, nor cause harm to others while doing the work they are engaged to do at its Place of Work.

The University will meet this responsibility by ensuring the Contractor/Sub-contractor complies with the relevant University's health and safety protocols, processes and procedures.

Purpose

The purpose of this protocol is to outline the minimum health and safety requirements for Contractors, Sub-contractors and self-employed people while they perform work on University premises.

Definitions

Contractor	Means a person engaged by any other person (otherwise than as an employee) to do any work for gain or reward. The 'gain or reward' does not need to be monetary; it can be payment in kind or an exchange of services. Nor does the contract have to be in writing.
University Contract Manager/ Contractor Liaison	<p>The University Contract Manager is likely to be a University Project Manager, Engineering Services Manager, or a University Contractor Liaison staff member, The Project Office Engineer (TPO), or a relevant specialist.</p> <p>A Departmental Contractor Liaison is a staff member appointed by the Manager/Head to induct Contractors/Sub-contractors into the department</p>
Event	Any accident, incident, near miss, injury, illness, harm, Serious Harm, mishap, or a feeling of pain and discomfort that occurs in a place of work involving an employee, visitor, student, Contractor/Sub-contractor, volunteer or person undertaking work experience.
Notifiable Work	<p>A employer or a person who controls a place of work must take steps to lodge notice to Worksafe NZ , any restricted work as defined in regulation 2 and 26 of The Health and Safety in Employment Regulations 1995, eg (but not limited to);</p> <ul style="list-style-type: none">• Scaffolding• Restricted work involving Asbestos• Excavations• Work over 5 metres• Demolition
Notification of Particular Hazardous Work	A form used to notify Worksafe NZ of particular hazardous work. Notification to Worksafe NZ must be completed 24 hours prior to commencement of the work.
Person in Control of Work	The owner, lessee, sub lessee, occupier, or person in possession, of a Place of Work, or of plant at the Place of Work.
Place of Work	Means where any person is to work, is working, for the time being works, or customarily works for gain or reward from the University, including vehicles.
Principal	Means any person (either an individual or corporate entity) who engages another (otherwise than as an employee) to do any work for gain or reward.

Serious Harm

Serious Harm means;

- a. death
- b. any of the following conditions that amounts to or results in permanent loss of bodily function, or the temporary severe loss of bodily function;

respiratory disease, noise-induced hearing loss, neurological disease, cancer, dermatological disease, communicable disease, musculoskeletal disease, illness caused by exposure to infected material, decompression sickness, poisoning, vision impairment, chemical or hot-metal burn of eye, penetrating wound of eye, bone fracture, laceration, crushing
- c. amputation of body part;
- d. burns requiring referral to a specialist registered medical practitioner or specialist outpatient clinic;
- e. loss of consciousness from lack of oxygen;
- f. loss of consciousness, or acute illness requiring treatment by a registered medical practitioner, from absorption, inhalation, or ingestion, of any substance;
- g. any harm that caused the person harmed to be hospitalised for a period of 48 hours or more commencing within 7 days of harm occurrence.

Sub-contractor

Means a person engaged by a Contractor (otherwise than as an employee) to do any work for gain or reward. The 'gain or reward' does not need to be monetary; it can be payment in kind or an exchange of services. Nor does the contract have to be in writing.

Responsibilities

University Contract Manager/ Contractor Liaison

As a Principal, the University Contract Manager, Capital Works Project Manager, Engineering Services Manager, TPO Engineer, Contractor Liaison shall:

- Follow the University Procurement Procedures for engaging Contractors/Sub-contractors.
 - Ensure the Contractor/Sub-contractor meets the minimum requirements for health and safety management prior to engaging the Contractor.
 - Communicate to the Contractor/Sub-contractor relevant University policies and rules, known hazards that may affect the Contractor/Sub-contractor and associated controls, permit procedures, emergencies procedures, event reporting and specific job instructions and work methods.
-

Contractor/Sub-contractor

The Contractor/Sub-contractor shall:

- Meet the minimum requirements for Health and Safety management prior to contract agreement by providing:
 - a Health and Safety Plan, including how health and safety will be managed for this particular job
 - information on how hazards that the Contractor/Sub-contractor is bringing on to or may create on the site will be managed
 - training and supervision to own employees and ensuring Sub-contractors are suitably qualified
 - induction for own employees and Sub-contractors, inclusive of procedures to instruct and ensure understanding of information or training provided to employees/Sub-contractors when English is not commonly understood or spoken
 - provide a monthly KPI report to their University Contact and Health and Safety Manger for review and discussion
 - cooperate with the University Incident Management Team and processes
 - Contractors engaged to work at the University of Canterbury whose tasks are associated with Asbestos are identified and documented. These shall cover:
 - capacity to assign, plan, control, delegate assess and review safe work asbestos procedures including the University of Canterbury Protocols
 - be certified as a competent asbestos remover with WorkSafe New Zealand

-
- provide a site specific safety plan including, safe work procedures, correct wearing and general maintenance of all protective equipment (PPE) and respiratory protective equipment (RPE), emergency response and reporting measures and the correct decontamination procedure
 - the issue and receipt of the identification of the presence of asbestos
 - ensure all accident, incident, near miss, injury, illness, harm, Serious Harm, are reported to Contract Manager/Contact or Departmental Contractor Liaison Comply with the relevant University policies, protocols and rules
-

**University Contract
Manager/
Contractor Liaison**

The Contract Manager/Departmental Contractor Liaison shall:

- Complete a health and safety induction with the Contractor/Sub-contractor to communicate relevant University policies, protocols, rules, known hazards that may affect the Contractor/Sub-contractor and associated controls, permit procedures, emergency procedures, event reporting and specific job instructions and work methods
 - Monitor the Contractor's/Sub-contractor's health and safety procedures and safe work practices at appropriate intervals
 - On completion of the contract, evaluate the Contractor's/Sub-contractor's health and safety management against the minimum requirements
-

Contractor/Sub-contractor Health and Safety Considerations

- Contractor/Sub-contractor Selection** The University will engage Contractors/Sub-contractors that:
- meet the University pre-qualification Health and Safety Management minimum requirements
 - have a proven health and safety record
 - are able to provide evidence that they comply with the Health and Safety in Employment Act 1992 and subsequent amendments, and
 - demonstrate current best practice in health and safety

Contractors/Sub-contractors must meet the criteria for approved status through the procurement tendering process or as a preferred Contractor/Supplier with a University Agreement and/or Standard Terms and Conditions.

Contractor/Sub-contractor Inductions All Contractors will undergo a University Contractor and worksite induction to be provided by the appointed University Contract Manager/Contact or Departmental Liaison before any work starts.

A record of Contractor induction will be completed for all Contractors/Sub-contractors and maintained on file by the University and the Main Contractor. Contractors/Sub-contractors may be required to provide documentary evidence of completed inductions for each of their employees/Sub-contractors on an individual basis.

Special requirements/precautions Any specific requirements or precautions relating to the performance of the work may be communicated to Contractors/Sub-contractors as part of the procurement tendering process, University Agreement and/or Standard Terms and Conditions, during induction, or during the course of the work contracted to be completed.

These requirements form part of the University contractual requirements and must be addressed by the Contractor/Sub-contractors with all their employees and Sub-contractors. This may relate to restrictions on the nature of the work to be certain times of day, and other possible disruptions to the University's business.

Health and Safety Management Plans All Contractors/Sub-contractors are required to submit evidence of their health and safety management processes (plans) prior to the commencement of work.

Where work is allocated as a consequence of a procurement tendering process or renewal of Agreement and Standard Terms and Conditions, health and safety management plans are required to be submitted as part of the process documentation.

Health and safety management plans should demonstrate a clear understanding of, and compliance with the Health and Safety in Employment Act 1992, relevant Regulations and subsequent amendments, plus industry relevant Codes of Practice, Worksafe Guidelines and Factsheets. A University representative may ask for evidence that the key requirements are working effectively and that hazard management is in place in respect of the work being undertaken at any time.

Compliance

Situations may arise where a Contractor/Sub-contractor will be the Person in Control of a Place of Work within the University buildings or grounds.

The University expects and requires all Contractors/Sub-contractors to diligently fulfil all legal and contractual obligations under the Health and Safety in Employment Act 1992 including subsequent amendments and Regulations, Codes of Practice, Worksafe Guidelines and Factsheets, the Building Act 2004, Resource Consents, applicable current standards of best practice, and the provisions of applicable University health and safety policies and procedures.

Contractors/Sub-contractors will be responsible for consulting with their employees on matters of health and safety and maintaining the necessary standards of conduct by its employees.

Contractors will be responsible for ensuring their Sub-contractors and suppliers maintain the same standards while engaged in work on our premises.

Individual Contractor's and Sub-contractors, plus their respective employees, will be required to practice safe working habits including, but not limited to:

- observing all safety instructions and rules
- following safe work practices and the best applicable standard including permits to work
- using all personal protective equipment that is required
- reporting to their Supervisor any hazardous working condition
- reporting to their Supervisor any events that may occur in the course of their work on the University's premises.

The requirements in contractual agreements, whether written or verbal, and directions that may be given during the course of work are in addition to the applicable statutory requirements.

Site rules

Site rules covering Contractor/Sub-contractor performance requirements outside the immediate job specifications will be discussed with Contractors/Sub-contractors during inductions. Requirements covering such topics as access, smoking, radios, use of University facilities, harassment, housekeeping, waste disposal, vehicle parking, storage, drugs and alcohol, security etc will be covered in inductions.

Noise should not exceed the workplace exposure limits set by Workplace NZ. The University is in use all year round for Teaching and Research therefore the contractor may be required to reschedule work or take special measures to control any noise that may be produced. This shall be discussed with the University Contract Project Manager

The University will not be responsible for any loss or damage that might be incurred by the Contractor/Sub-contractor while on University premises, including private vehicles and/or personal effects.

The University's Health and Safety Manager, in consultation with Learning Resources or their delegate, has the full authority to require the cessation of work and/or the removal of individuals or companies from the premises in situations where this Protocol is not being observed or where general statutory requirements are not being met.

Signing in

All Contractors/Sub-contractors are required to sign in either at Security or at Engineering Services. Alternative sign-in procedures may be determined for specific projects, e.g. a large construction site.

Safety inspections and performance monitoring

University Engineering Services staff members, the Health and Safety Team, University Contract Project Managers and an External Auditor nominated by University may carry out periodic inspections and audits of Contractor/Sub-contractor health and safety performance on the job.

Documentation of these inspections will be completed together with a description of any remedial action to be taken to correct deficiencies.

The University reserves the right to deny access to any person who fails to comply with acceptable standards of health and safety or any direction given.

All University employees are encouraged to report any perceived unsatisfactory behaviour/practices of Contractors/Sub-contractors to Engineering Services staff, Project Managers, TPO Engineer members or the Health and Safety Manager.

Satisfactory performance reports are a pre-requisite for future engagement as a preferred Contractor. Before a Contractor is removed from the preferred Contractor list, they will be given the opportunity to remedy any short falls in the University requirements, unless it has been determined by the University that serious non-conformance has occurred.

Hazard identification & reporting

Hazards identified by Contractors/Sub-contractors in the course of their work for the University are to be dealt with in accordance with their hazard management procedures. Where the ability or responsibility to control the hazard does not lie with the Contractor/Sub-contractor the hazard is to be reported to the University contact responsible for the area where the Contractor/Sub-contractor is working.

First aid supplies and services

Each Contractor/Sub-contractor on University premises will maintain, in good condition, adequate supplies of first aid materials and equipment that are accessible to their employees.

Each Contractor/Sub-contractor will ensure that at least one person holds a current first aid certificate including New Zealand Qualification Authority Standards 6400 – Manage first aid in emergency situations, 6401 – Provide first aid, 6402 – Provide resuscitation.

In the case where there are multiple Contractors/Sub-contractors on site, the main Contractor should ensure there are sufficient facilities and first aid trained personnel.

Emergency Procedures

Contractors/Sub-contractors are required to respond to all emergencies arising in accordance with the response procedures communicated at their induction. This requirement includes participation in practice emergency drills in the area which they are working.

Contractors/Sub-contractors are required to adhere to the University's Emergency Management Policy and Plan and will agree to take direction from the Incident Management Team during a critical incident at the University. This process may include any work area of the Contractor / Sub-contractor. It may also include, but not be limited to critical property equipment or infrastructure damage, serious harm, hazardous substance spill/exposure, biological or health hazard release/exposure, critical weather events, acts of violence, terrorism or criminal activity.

Critical Incident

Dependant on the situation it may be determined that a high risk event requires the activation of the University Incident Management Team and in some situations the University Rescue Team may also be activated.

Reporting

Event Reporting

The Contractor/Sub-contractor shall:

- Notify their University contact of any accident, incident, near miss, injury, illness, harm, mishap, or a feeling of pain and discomfort that occurs in a place of work involving an employee, visitor, student, Contractor/Sub-contractor, volunteer, or person undertaking work experience in the monthly KPI report to their University Contact and Health and Safety Team for review and discussion.
- Notify their University contact, Departmental Contractor Liaison of any restricted work, defined in regulation 2 and 26 of the Health and Safety in Employment Regulations 1995 (refer notifiable work definition)
- Immediately contact Security on 6111 or 0800 823637 for any high risk situation, emergency or medical assistance requiring a response. Security will also assist in securing any scene.
- Notify all Serious Harms immediately to their University contact who will contact the University Health and Safety Manager/Team enabling required processes and reporting to happen.
- Notify all property or environmental damage to their University Contact enabling required process and reporting to happen.
- Immediately notify their University contact of any high risk situation that could put the University at risk or bring it into disrepute, or any situation involving unauthorised media. Early notification is required to enable the University to respond appropriately to any insurance, legal or media issues that may result.
- In collaboration with the University fully investigate any of the above if required or requested by the following;
 - Contractor 's Management Team
 - University Management Team including the Health and Safety Manager
 - Worksafe NZ, or
 - any other Authority
- Cooperate with the University Incident Management Team, Incident Controller and processes.

Serious Harm Reporting

- Where Serious Harm has occurred the accident scene must not be altered without the permission of a Worksafe NZ (or Maritime New Zealand,) Health and Safety Inspector, unless to; save life, prevent harm or relieve the suffering of any person;
- maintain access of the general public to essential services or utilities (such as water, electricity or gas); or
- prevent serious damage or loss of property.

If the Inspector has advised that they will visit the site, obtain a clear indication of when this will occur. If the Inspector gives a site clearance without visiting the scene, obtain full details of the Inspector's name and record the time of discussion.

Dependant on who the agreed lead agency is the release of the scene may come from NZ Police.

The Health and Safety Manager/Team should be notified immediately if the event involves Serious Harm, who will then notify Worksafe NZ and other authorities, as necessary. In the Health and Safety Manager's absence, contact the Director, Human Resources. This number can be sourced from Security outside hours. Security should be contacted on extension (6111, or 0800 823637 This requirement to report Serious Harm events applies 24 hours a day, seven days a week.

Emergency Services and Support

Contractors/Sub-contractors are required to contact University Security and Campus Community Support (6111, or 0800 823637) during all emergencies to enable appropriate response and support for high risk or medical emergencies. Security is fixed with appropriate knowledge and equipment to respond, eg; defibrillator, first aid equipment and an emergency evacuation chair.

The University has a response process in place with emergency services and the University Health Centre enabling a swift response to any emergency.

Reporting and Activation for critical incidents is also initiated by Security

High Risk

Irrespective of the degree of harm resulting from an event, any situation relating to health, safety, environmental or property damage must be reported because it could put the University at risk or bring it into disrepute. This relates to any harm or event that may attract attention to the University including unauthorised media. Early notification is required to enable the University to respond appropriately to any insurance, legal or media issues that may result.

Notifiable work

Contractors are individually responsible for notifying Worksafe NZ of any work defined as Notifiable Work in the Health and Safety in Employment Regulations 1995 at least 24 hours prior to the commencement of that work. The UC Contact must be notified of any proposed "notifiable work" at least 48 hours prior to notification to Worksafe NZ.

Hazard Reporting

See above page 7

Related information

HR Toolkit

The following processes in the H&S Toolkit support this protocol:

- Health and Safety Policy
 - Induct, Monitor and Evaluate Contractor/Sub-contractor Safe Work Practices
 - Checklist Health and Safety Review of Contractor Worksite
 - Checklist Health and Safety Contractor Induction
 - Complete post contract evaluation
 - Health and Safety Management Minimum Requirements
 - University Emergency Management Website
-

Further information

If you have any further queries, please contact the Health and Safety Manager/Team or University Contract Manager.
