

# Managing Contractors



A contractor is a person, organisation or business engaged to perform work for a school. A contractor is somebody who is not a school employee or worker.

Examples of contractors include music tutors, IT personnel, sports coaches, agency administration staff, consultants, cleaners, gardeners, maintenance staff, plumbers, electricians, painters, builders, etc. Contractors can be broadly classified as tradespeople or professional workers.

Different types of work pose different levels of risk to individual contractors and other people in their vicinity.

For instance a plumber repairing a roof (and the people nearby) will generally be more at risk than when a music tutor is giving a guitar lesson.

Under safety legislation schools are jointly responsible for the safety of the contractors, their personnel and any sub-contractors who work for them. A school's duty of care begins before the contractor is engaged, continues when the contractor's personnel are working at the school and only finishes after the work area is cleaned up and returned to a safe condition. They also have a moral duty of care to contractors working at their school.

## High or low risk work?

The first step in managing contractors is deciding whether their work is high or low risk.

Professional workers such as IT personnel, music teachers, sports coaches, agency staff, boarding school supervisors, etc. generally perform low risk tasks unless they are working at a height or using ladders. From a safety perspective, they can be managed in a similar fashion to school staff such as teachers and administrative staff.

However, work done by tradespeople is often inherently more hazardous. It can pose a greater legal and financial risk to schools and requires greater monitoring. Tradespeople can include cleaners, gardeners, maintenance staff, plumbers, electricians, painters and builders. It also applies to contractors who bring equipment in to schools such as jumping castles, DJs with sound equipment, stall holders at fetes, etc.

The information below focuses primarily on work carried by contractors performing high risk work.

## Consultation arrangements

If somebody is likely to be directly affected by a safety hazard at a school, it is a legal requirement that they are informed of the risk and consulted about the means of controlling it.

Schools need to inform their staff, students and visitors about any risks or special arrangements during contractor works. Methods of doing this include discussing upcoming contractor works at staff meetings and recording the details in the minutes, placing notices on the school intranet and noticeboards, and including articles in the school newsletter.

If a contractor or their personnel could be at risk because of hazards at the school they also need to be informed. For instance, contractors, maintenance staff, plumbers, electricians, painters and builders should be shown the asbestos register or informed if the school has old lead paint work if their work is likely to involve the disturbance of asbestos or lead paint.



Contractors also have a duty of care to consult with their own personnel. They also have a duty to inform other contractors on site if their activities pose a risk to the other contractor's personnel. For instance if a trench is being dug by a builder at a school the school staff, students, visitors and other contractors such as gardeners all need to be informed. Cleaners and music tutors need to be informed about electrical work in the music room that may pose a risk to their safety. However, the gardener would not necessarily need to be informed about the rewiring being done in the music room.

### ***Before selecting a contractor***

Before selecting a contractor for high risk work a school should check that the contractor has:

- appropriate insurance coverage such as public liability and WorkCover
- any necessary licences, competencies or permits to undertake the work they will be performing,

for example:

- plumbers and electricians licences
- councils permits for certain activities
- trained and qualified personnel for the work to be undertaken
- OHS policies and procedures in place in order to identify, assess and control risks
- supervisory arrangements in place to ensure that their personnel are safe and follow safe work procedures
- consultation arrangements with their workers on safety matters
- written confirmation that the contracting company and its staff will comply with safety legislation and the school's contractor requirements.

This process can be assisted by having a contract and developing an OHS checklist that the contractor agrees to and signs before they commence work at the school. Matters included on this list will vary with the type of work and the risks involved. Such checklists can be developed by individual schools or modelled on the checklists created by the Catholic Education Commission of Victoria (CECV).

### ***Before work starts at the school***

Before work starts, the school should ensure that:

- the scope of work has been determined and the contractor has agreed to abide by it
- individual employees of the contractors have Working With Children Checks if required
- the school's asbestos register is made available if there is asbestos in the school and the contractor's work may involve the disturbance of asbestos (this is particularly important and a legal requirement when there is drilling, cutting or sanding of the school building by maintenance staff, plumbers, electricians, painters, builders, etc.)
- contractors are informed if the school has old lead paint work which could be disturbed during the works
- there is an agreement in place with the contractor regarding who is responsible for putting up safety signs, isolating the work area while the job is being undertaken and who will be responsible for making it clean and safe before it is handed back to the school.



If the school is on a site where there is contaminated soil and construction work has been previously carried out in the past, the builder should have provided the school with a copy of the site's health and safety plan which was developed during the construction phase. This plan should be made available to workers such as plumbers and gardeners whose work may involve the disturbance of contaminated soil when digging, trenching, gardening, etc.

### ***Contractor's responsibility before commencing work***

Before commencing work at a school the contracting organization should:

- have up to date insurance coverage such as public liability and WorkCover
- engage appropriately qualified personnel for the work undertaken
- induct their employees and subcontractors to the safety plan for the work at the school
- have arrangements in place for the supervision of their staff
- identify the hazards associated with the proposed works, from setting up the work area to completion of the job
- prepare Safe Work Method Statements (SWMS) or Job Safety Analysis (JSA) – for high risk tasks such as electrical work, working at heights, construction, asbestos removal, isolation of services, trenching, confined space entry, etc.
- obtain any required permits from government departments, councils or service providers such as electricity supply companies, etc.
- consult with their personnel and develop appropriate procedures, risk assessments and control measures for the work to be undertaken
- provide their workers with appropriate Personal Protective Equipment (PPE), sun protection and clothing
- notify the school of vehicles, equipment and chemicals that will be brought onto the site
- ensure that vehicles, equipment and materials are secure during and after work
- use safe and well maintained tools and equipment
- ensure that electrical tools and equipment are electrically safe
- put appropriate signage in place
- install barriers to isolate work areas where required
- have valid Material Safety Data Sheets (MSDS) or Safety Data Sheets (SDS) for hazardous substances and dangerous goods that they will bring or use at the school
- have appropriate procedures for waste disposal
- put appropriate controls in place if working in the vicinity of overhead services such as powerlines.



Before digging holes and trenches in the ground it is essential from a safety, legal and financial viewpoint for contractors to:

- locate underground services (gas, water, electricity, IT cables, sewerage, etc.) by contacting Dial Before You Dig <http://1100.com.au> or call 1100
- carry out further investigations if necessary.

### *Procedures for contractor's individual employees*

Procedures should be developed for when the contractor's individual employees arrive at the school. These may require each worker to:

- report to the administration office or other agreed location
- present their Working With Children Check if one is required by the school
- register in the visitor book on a daily basis
- be provided with a visitor ID badge to be worn at all times
- complete an OHS induction on the first visit and then a refresher each one or two years.

Matters covered in this induction should include:

- the school layout /map
- parking arrangements
- emergency procedures and emergency assembly areas
- school amenities such as toilets and lunchrooms
- sign in / sign out procedures (and return of the visitor ID badge when leaving)
- appropriate work areas and prohibited areas within the school
- school hours
- liaison persons at the school
- safety hazards at the school
- how to report safety hazards, injuries and incidents
- First Aid
- school safety rules
- housekeeping and waste disposal
- school rules for contractors
- policies regarding swearing, discrimination, bullying, smoking, drugs, alcohol, etc.

Note: Schools should keep written records of OHS inductions and ensure that have been signed by the contractor.



## ***Monitoring contractor's work***

Schools and contractors have a joint duty of care to monitor the safety of contractor personnel working at a school. Supervision arrangements for people working at the school should begin before work starts.

Since contractors often do work that is beyond the technical expertise of school staff, it can be difficult for school staff to determine what are actually safe or unsafe work practices. This problem can be mitigated by ensuring that contractors provide copies of their safety documents such as Safe Work Method Statements (SWMS), Job Safety Analysis (JSA) or Safe Operating Procedures (SOP) before they commence work. These documents can then be checked when contractors are working to see if they are actually doing what was indicated in the safety documents.

For instance if a contractor has said that they will be using a safety harness when working on a roof, this can be checked by walking past and seeing if harnesses are being worn.

If unsafe work practices are observed, schools have a moral and legal duty to take timely action. This may include a combination of measures such as:

- bring it to the attention of the individual worker or their onsite supervisor
- report the matter back to their employer to rectify
- ask the worker to cease work or leave the site until the matter is resolved.

It is also important to keep evidence (minutes, emails, correspondence, diary notes, etc) of how non-compliance and any other OHS issues have been addressed with contractors.

## ***Reviewing contractor's work***

In order to improve safety arrangements it is good practice to review a contractor's work on a regular basis through ongoing review sessions, discussions and meetings.

It is important to keep minutes of discussions with contractors and ensure that any proposed improvements are implemented in practice. This can be done by developing an OHS action plan (such as the one below) that lists each OHS issue, how the issue will be rectified, who will be responsible, the target date for implementation and who will check whether it is been implemented in practice.

## ***Upon completion of the work***

Contractors should make the work area safe before they hand it over to the school. This includes removing rubbish unless other arrangements have been made with the school. The Principal (or nominee) should inspect the works to ensure that the site is free from hazards and is not a risk.

## **Summary**

### ***Managing Contractors Summary***

It is important to identify the tasks carried out by contractors at your school and determine which ones are more high risk than others. Before hiring contractors for high risk work schools should confirm that the contractor has:

- appropriate insurance coverage such as public liability and WorkCover
- any necessary licences, competencies or permits to undertake the work they will be performing
- trained and qualified personnel for the work to be undertaken



- arrangements in place for the supervision of their staff
- safe tools, materials and equipment.

This process can be assisted by having a contract and developing an OHS checklist that the contractor agrees to and signs before they commence work at the school. Matters included on this list will vary with the type of work and the risks involved. Schools need to inform their staff, students and visitors about any risks or special arrangements during contractor works.

Before work starts the school should ensure that the contractor has:

- provided adequate documentation
- signed appropriate agreements with the school
- guaranteed in writing that they will comply with relevant OHS and environmental legislation
- arrangements in place for supervising their staff while they are working at the school.

Procedures should be developed by the school for individual workers arriving at the school.

Before commencing work at a school the contractor organisation should:

- engage appropriately qualified personnel for the work undertaken
- induct their employees and subcontractors to the safety plan for the work at the school
- identify the hazards associated with the proposed works from setting up the work area to completion of the job
- prepare Safe Work Method Statements (SWMS) – or Job Safety Analysis (JSA) – for high risk tasks.

Upon completion of the work contractors should make the work area safe before they hand it over to the school. In order to improve safety arrangements it is good practice to review a contractor's work on a regular basis through ongoing review sessions, observations of the work being carried out, discussions and meetings. It is important to keep minutes of discussions with contractors and ensure that any proposed improvements are implemented in practice. This can be done by developing an action plan that lists each OHS issue, how the issue will be rectified, who will be responsible, the target date for implementation and who will check whether it is been implemented in practice.

## Resources

- The Working safely in the general construction industry handbook, published by WorkSafe Victoria, contains practical advice on SWMSs and JSAs which are relevant to the work of painters, plumbers, builders, electricians and similar trades.
- WorkSafe Victoria, 2008, Working safely in the general construction industry, accessed 1 November 2012, <<http://www.worksafe.vic.gov.au/forms-and-publications/forms-and-publications/working-safely-in-the-general-construction-industry-a-handbook-for-the-construction-regulations>>.

### *Further assistance*

- You can contact the Catholic Education Commission of Victoria (CECV) on 03 9267 0228 or visit <[www.cecv.catholic.edu.au](http://www.cecv.catholic.edu.au)> for advice, safety guidelines, checklists, online resources and other information on safety matters relevant to Catholic schools.