

Information about Contractor Safety Management

HSE-INFO-008

This Information Sheet aims to assist JCU understand the Work Health and Safety Act 2011 (Qld) (the Act) in relation to contractors

Contractors and Sub Contractors are ‘Workers’ under the Act

Under the Act, a Worker is a person who carries out work in any capacity for a person conducting a business or undertaking (PCBU) and includes contractors, subcontractors and their employees.

JCU owes a duty of care to Workers

JCU must ensure, so far as is reasonably practicable, the health and safety of Workers while they are at work.

To fulfil this duty, JCU must eliminate risks to health and safety, so far as is reasonably practicable and, if it is not reasonably practicable to do so, minimise those risks so far as is reasonably practicable.

Who are JCU Contractors and Sub Contractors?

A Contractor is engaged by JCU (not as a JCU employee) for the purpose of performing work or providing a service under a contractual agreement. A Contractor may hire a Sub Contractor who is an independent contractor to help them complete their contracted work. At JCU, Contractors may be engaged to provide professional services, to undertake cleaning services, to undertake minor repairs and maintenance jobs or to carry out construction as a Principal Contractor to name a few.

Do Contractors have obligations under the Act?

Yes. While at work, Contractors and Sub Contractors must take reasonable care for their own health and safety and take reasonable care that their acts or omissions do not adversely affect the health and safety of others.

Contractors and Sub Contractors must also comply with any reasonable instruction and cooperate with any JCU HSE policy or procedure that is given to them by JCU.

Is there a requirement for JCU and a Contractor to work together to ensure health and safety?

Yes. JCU and the Contractor have shared work health and safety duties. Therefore JCU and the Contractor must work together to consult, cooperate and coordinate activities in relation to any shared work health and safety matter. This assists both JCU and the Contractor to fulfil their statutory obligation to manage risks associated with a contracted activity to an appropriate level.

Consultation methods that may be agreed to include but are not limited to:

- raising a work health and safety issue directly with Contractor
- toolbox talks

- informal safety inspections of construction sites
- contract start-up meetings
- standing work health and safety agenda item at periodic performance meetings.

Can I engage a Contractor to perform work without an agreement?

No. At JCU, Contractors can only commence work under a contractual agreement and must be engaged through the approved process that is outlined in the [FMPM 711 – Procurement Procedure](#).

Where an emergency repair situation arises during business hours contact can be made through the JCU Estates Office to report the situation. Where an emergency repair situation arises outside of business hours, contact can be made with JCU Security who will raise a MEX request and contact the JCU Estate Representative on call to arrange the work to be undertaken.

It is important to plan the contracted work to ensure risks are managed adequately

The way health and safety is included in the contractor management process, depends on the size and complexity of the work, the level of JCU supervision and the subsequent health and safety risks associated with the work.

To do this, it is important that all contracted works are adequately scoped to ensure all relevant risk factors are considered to ascertain the health and safety requirements connected to the contracted work and to determine the process to manage the risks to ensure compliance.

All safety requirements are to be documented and submitted to JCU Strategic Procurement to ensure agreements are tailored accordingly.

Once a Contractor or Sub Contractor is engaged, how are risks to health and safety managed?

1. Prior to commencing the work

All contracted activities must be assessed for risk to health and safety in consultation with the Contractor or Sub Contractor to determine the most effective way to minimise risk to health and safety if the risk cannot be eliminated.

2. Throughout the work

A risk assessment must be undertaken when a new hazard is introduced throughout the contracted work. Risk assessments must be monitored and reviewed throughout the contracted work to ensure controls remain effective in minimising risk to as low as reasonably practicable.

What about risks associated with construction work?

JCU and Contractors have specific requirements to manage health and safety risks associated with construction work. JCU employees that are involved in construction contracts should read and understand their responsibilities outlined in the [HSE-GUI-002 Construction Guideline](#).

Does the JCU Permit to Work process apply to Contractors and Sub Contractors?

Yes. Whether undertaken by an employee, a contractor or sub contractor, the following work cannot be carried out without a Permit:

- Asbestos work
- Overhead or roof work

- Fire protection system isolation
- Hot work (including cutting and welding)
- Confined space access
- Low voltage electrical isolation
- Working at heights
- Excavations in excess of 200mm
- High voltage or exclusion zone work
- Restricted workzone

Information regarding the JCU Permit to Work process can be found [HSE-GUI-003 Permit to Work Guideline](#).

Do all Contractors and Sub Contractors need to be inducted to perform work for JCU?

All Contractors and Sub Contractors must be either inducted prior to commencing work for JCU or be supervised while working on JCU sites.

To work unsupervised, the JCU Contractor must, as a minimum requirement, successfully complete each of the following:

- the relevant online JCU work health and safety induction for contractors;
- specific area induction that includes all areas (including laboratories) and location of facilities where the contracted works will be conducted; and
- general construction induction training, commonly referred to as the 'White Card', if the person is engaged to carry out construction work.

The JCU Representative will sight, retain and maintain copies of relevant contractor competencies.

Does JCU need to retain evidence that the Contractor and Sub Contractor has the relevant high risk work license to perform the work?

Yes. The Contractor and or Sub Contractor must provide written evidence that they have successfully completed the training for the relevant high risk work license or are currently undertaking training and are adequately supervised while performing the high risk work.

JCU must keep a record of the written evidence for at least one year after the completion of the work.

How can the HSE Unit assist?

The HSE Unit provides an advisory function in relation to work health and safety at JCU. The HSE Unit is currently drafting a Contractor Safety Management Procedure integrating health and safety requirements into contractor management to prevent injury and to help fulfill JUC's health and safety obligations.

Further information:

Health, Safety & Environment Unit:

Phone - 07 478 15290 (Townsville) or 07 423 21219 (Cairns)
Email – safety@jcu.edu.au

Strategic Procurement Unit:

Phone – 07 4781 6401
Email – procurement@jcu.edu.au