

## **CONTRACTOR OCCUPATIONAL WORKPLACE HEALTH & SAFETY**

---

### **POLICY OBJECTIVE**

This policy sets the guidelines with the Workplace Health and Safety (WHS) of Council contractors.

### **1. POLICY STATEMENT**

The intent of this policy is to set out the occupation health and safety requirements for the selection, engagement and control of contractors and service providers.

It is important to note that:

- Assigning by contract does not remove the individual statutory responsibilities under WHS legislation, i.e. WHS responsibility cannot be outsourced.
- More than one party may have responsibility for WHS at any one time,
- It is no defence to argue that other parties have compromised Council's capacity to adequately address WHS responsibilities.

### **2. POLICY COVERAGE**

This policy applies to all areas of Council's operations and covers all contractors for Council.

### **3. STRATEGIC PLAN LINK**

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

### **4. DEFINITIONS AND ABBREVIATIONS**

Term/Word	Definition
<b>The Act</b>	Local Government Act 1993 No 30 (NSW)
<b>Assets</b>	Applies to the terms assets, stores, items, equipment, furnishings and goods as used throughout this policy and refers to items with an original purchase value of more than \$5,000 (excl. GST) or an estimated residue value of more than \$1000 (excl. GST) at the time of disposal. It doesn't include real property (building and land) but may including fittings attached to the property.
<b>Regulations</b>	Local Government (General) Regulations 2005 (NSW)
<b>Council</b>	Wentworth Shire Council
<b>Contractor</b>	Individual, company or other enterprise providing a product or service to Council.
<b>Pre-Qualified Contractor</b>	A contractor that demonstrates that they have safety, environmental and quality assurance processes in place meeting the requirements of applicable laws, regulations, codes of practice and Council specifications.
<b>Principal Contractor</b>	A person who is, under Clause 293 Work Health & Safety Regulation 2017, for the time being, appointed or taken to be the

## CONTRACTOR OCCUPATIONAL WORKPLACE HEALTH & SAFETY

---

	principal contractor for the construction work. A principal contractor is responsible for the construction work at all times until the work is completed.
WHS	Workplace Health and Safety

### 5. POLICY CONTENT

- 5.1** Council is committed to ensuring the health and safety of all persons at council work sites including employees, contractors, volunteers and members of the public.

Council will ensure that

- Contractors and service providers are assessed for their capability to meet Council's requirements for quality, health and safety and, where appropriate, environmental management criteria.
- Contractors and service providers have current insurance policies that indemnify Council for claims arising from injury or illness of workers, public liability, motor vehicle accidents and professional negligence.
- Contractors and service providers meet operator competency requirements.
- Contractors and service providers use only suitably maintained plant and equipment on Council worksites.
- Only contractors and/or sub-contractors who have been assessed against Council requirements are engaged.
- The work activities of contractors and subcontractors and service providers are subject to audit and surveillance.

- 5.2** A council representative will be nominated when a contractor or service provider is prequalified and/or engaged and will be responsible for implementing all policy requirements in respect of contractor WHS management.

This representative will:

- Be suitably qualified and have specific experience and knowledge
- Be required to monitor, inspect, document and report on contractor performance.
- Have the necessary authority to shut down work.
- Carry out initial risk assessments.
- Development site specific safety management plans.

### 6. RELATED DOCUMENTS & LEGISLATION

- Work Health & Safety Act 2011
- Work Health & Safety Regulation 2017
- Local Government Act 1993
- Civil Liability Act 2002

### 7. ATTACHMENTS

Nil.

**CONTRACTOR OCCUPATIONAL WORKPLACE HEALTH & SAFETY**

---

**8. DOCUMENT APPROVAL**

**For Council Policies please use the following, otherwise delete**

This document is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on 18 May 2022. All previous versions of this policy are null and void.

This policy may be amended or revoked by Council at any time.

A PDF copy of the signed document can be accessed from Council's record management system and Reliansys.



Signed: .....

18 May 2022

**General Manager Wentworth Shire Council**

**Date**

