



Te Kaunihera o
te tai o Aorere

Contractors Health and Safety Information



Document Control

Date	Version	Changes
25/03/2008	V1.0	Contractor Health and Safety Documents & Information Booklet developed.
03/06/2008	V1.1	Updated wording on the H&S Approved Contractors Application form and added blank pages for printing.
19/10/2009	V1.2	Updated logo. Separated forms.
31/03/2010	V1.3	Updated H&S Policy
28/01/2011	V1.4	Included electrical testing requirements. Reworded Sub-Contractor requirements.
28/11/2011	V1.5	Updated H&S Policy.
30/04/2012	V2.0	Complete review/update/reformat of all content.
11/04/2014	V2.1	Update references to 'Department of Labour (DOL)' or 'Ministry for Business, Innovation' and Enterprise (MBIE) to 'WorkSafe New Zealand'. Updated Tasman District Council's H&S Policy to current version.
05/10/2015	V3	Changes to various wording in the document.
04/04/2016	V4	Update references to 'Health and Safety in Employment Act 1992' HSWA to 'Health and Safety at Work Act 2015'. Serious Harm information changed to Notifiable events. Updated wording to reflect the HSWA
20/06/2017	V5	Included extra requirements for plant and equipment Added health monitoring On-line portal for Contractor Prequalification
30/10/2018	V6	Wording changes. Removed on-line portal information. Added 'Public Safety Requirements when carrying out work in the Road Reserve' Removed H&S Policy
17/11/2020	V7	Wording changes
01/05/2024	V8	Changed wording to terminology used by WorkSafe Updated carrying our work on Roads

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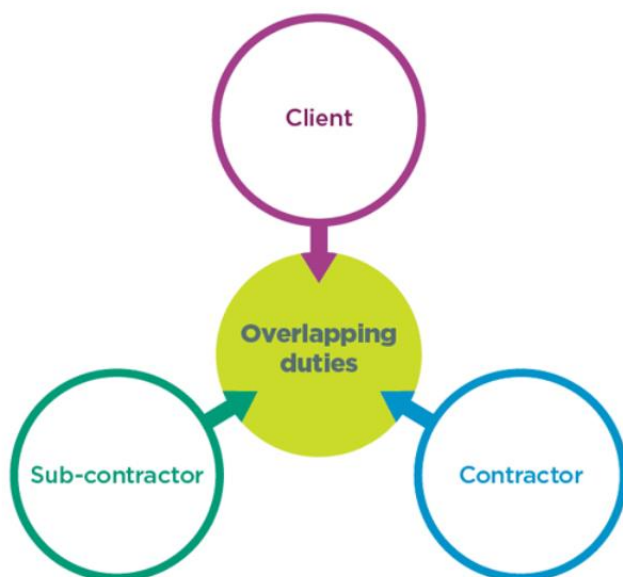
3 Key terms used in this handbook

Contractor	A company or self-employed person (PCBU)
Council Engaging Supervisor	The Tasman District Council employee authorised to engage, manage, and/or instruct the services on behalf of the Council
HSWA	Health and Safety at Work Act 2015
Primary duty of care	A PCBU must ensure, so far as is reasonably practicable, that the health and safety of workers and other people are not put at risk by your work.
PCBU	Person Conducting a Business or Undertaking
Damstra	Council's online contractor management system
Worker	Employee of a Contractor, this includes their sub-contractors
WorkSafe	WorkSafe New Zealand

4 Introduction

Under the Health and Safety at Work Act 2015 (HSWA) the Council has a duty of care for the health and safety of workers and others influenced by its work.

Contractors play an essential role in the delivery of works on behalf of the Council, so their health and safety and those affected by the works is extremely important.



The Council and its Contractors have overlapping duties and must, so far as is reasonably practicable, consult, cooperate and coordinate activities to meet both of our joint responsibilities.

This handbook will assist both Council staff and Contractors in their understanding their roles and responsibilities in regard to the importance of health and safety while working on behalf of the Council, and within and at Council facilities.

5 Contract Conditions

The awarding of contracts by the Council is determined not only on the criteria of price and technical ability, but also on the current ability of those tendering to carry out planned work safely.

No Contractor shall enter into a contract arrangement, or commence any work with the Council without first having provided sufficient information and documentation to assure the Council that there are satisfactory health and safety systems and practices in place.

Failure to provide sufficient information may result in the Contractor being removed or excluded from the Council tender process.



6 Contractors Health and Safety Pre-Qualification Process

Tasman District Council must demonstrate that we have met our due diligence obligations under the HSWA. With contract management, we need to be making sure we know that any Contractor we use understands both our expectations and their own obligations.

The process involves the Contractor providing the Council with health and safety documentation to provide an overview of their understanding and compliance with legislative requirements.

The prequalification process is not a guarantee of work, however it does provide Contractors with an advantage in the selection process because they have already met the Council's prerequisite health and safety expectations. A Contractor's prequalification is valid for two years (subject to performance).

Where a Contractor does not meet that level of compliance, the Contractor will not hold an approved "Health & Safety Prequalification" status with the Council.

The Council will consider the following when reviewing Contractor health and safety pre-qualification applications:

- ✓ How well the Contractor's health and safety systems and practices match the type of work they plan to undertake.
- ✓ That the appropriate Practising Certificate, and/or qualifications are held and current.
- ✓ The level of insurance/s held.
- ✓ Work history.

7 Who is responsible for what?

Both the Council and its Contractors are individually responsible for:

- Providing and maintaining a safe working environment for its workers, and are also required by legislation to provide and maintain facilities at work for their workers' health and safety.
- Complying with and understanding the obligations to workers and others under the Health & Safety at Work Act 2015 and any other relevant legislation, guidelines and approved codes of practice.
- Monitoring and checking how things are going on an on-going basis.

7.1 Tasman District Council's Responsibilities:

✓	Inform the Contractor of any known hazards on the worksite and ensure that risks have been identified and there are adequate control measures in place
✓	Ensure Contractors are competent for the work they are engaged to do.
✓	Ensure that any Council owned plant is designed, made and maintained for safe use.
✓	Communicating emergency procedures for buildings occupied by Council staff.
✓	Ensuring Contractor requirements are fulfilled by monitoring and evaluating health and safety performances and compliance.

7.2 Contractors Responsibilities

✓	Taking all reasonable steps to ensure workers and others are not harmed while undertaking any work.
✓	Keeping the work area safe, secure and following their site safety plan.
✓	Ensure they and their workers are suitably qualified, competent and trained to undertake the work required or are supervised by a competent person.
✓	Being aware of the risks associated with known hazards and have adequate control measures in place.
✓	Reporting accidents/incidents and near misses within the prescribed timeframes.
✓	Understand what a notifiable event is, and report notifiable events as soon as possible to WorkSafe and Council.
✓	Using personal protective clothing or safety equipment in the correct manner.
✓	Being familiar with the emergency response plan.
✓	Ensuring they or their workers do not work while impaired
✓	If in doubt, STOP work and ask.

8 Induction of Contractors

Contractors working in Council staff occupied buildings will be inducted prior to commencing work or when there are any health and safety procedural or building changes.

Contractors working on Council owned worksites or Council assets, will be inducted prior to commencing work for the first time. This induction will be either in person or communicated via email or phone dependant on the level of risk and location.

The Council Engaging Supervisor or a person nominated by the Council Engaging Supervisor will conduct the health and safety induction.



9 Safety on Site

9.1 Sharing Information

Effective communication and information sharing between the Contractor and the Council Engaging Supervisor and any other Council employee is critical. Meetings and or discussions will include:

- ✓ Who the nominated contact person is for both the Council and the Contractor.
- ✓ Discuss what work activities are being carried out.
- ✓ Agree on who will manage what and how it will be managed.
- ✓ Formal arrangement to exchange information i.e. regular site meetings/reports.
- ✓ Documented minutes of any health and safety or toolbox meetings. This may be in the form of diary notes or formal minutes.

9.2 Reporting for work and Emergency Response

The Contractor must ensure that all workers are aware of any relevant emergency response plans that apply to the contract and have these noted in the site safety plan.

Contractors working in staffed Council facilities:

All workers must:

- Sign in and out at the Council reception desk daily.
- Know who the Engaging Council Supervisor is that they are working for.
- Be informed of emergency and evacuation procedures.

Contractors working in non-staffed Council facilities:

Contractors and their workers must:

- Be aware of all other workers who are present and the scope of work.
- Have procedures in place to deal with emergency situations.
- Ensure workers and the Council Engaging Supervisor know the procedures.

9.3 Hazard Identification and Site Safety Plans

Contractors will comply with the HSWA 'risk identification' and 'all reasonable steps' criteria.

Prior to commencing work, the Council Engaging Supervisor will ensure that the Contractor is aware of any known hazards. It is the responsibility of the Contractor to manage the risks associated to the hazard.

Dependant on the level of risk, a site specific safety plan may be required to demonstrate that risks have been identified and managed.

For high-risk tasks, Contractors are required to submit a comprehensive safety plan to the Council Engaging Supervisor prior to starting work.

9.4 Training

All workers engaged by the Contractor must be trained and competent to carry out all tasks safely or be adequately supervised by a competent person to carry out the contract requirements. Training records and evidence of certification/qualifications may be requested.

9.5 First Aid

Contractors should provide sufficient first aid equipment that is within easy access of their workers. Contractors are required to provide their own first aid trained workers.

If the work is of such a nature that specialised first aid equipment or materials may be needed, it is the Contractor's responsibility to provide it.

Self-employed Contractors working away from Council staffed facilities must provide their own suitable and readily accessible first aid kits.

9.6 Protective Clothing & Equipment

Contractors are responsible for providing, using and maintaining the required personal protective equipment (PPE).

All personnel entering the work area/site must abide by the requirements of the person in charge of the worksite – no exceptions.



9.7 Plant and Equipment

Contractors must ensure

- ✓ Plant and equipment is checked daily and is fit for purpose
- ✓ All plant and equipment must be designated, manufactured and maintained in a manner that is safe for its use
- ✓ Fall-arrest equipment is tested and dated including harnesses, lanyards etc.
- ✓ Lifting equipment such as lifting beams, chains and lifting devices are tested and tagged
- ✓ No equipment shall be used unless it has sufficient guarding, certification of fitness or fit for purpose criteria in place
- ✓ All ladders are clearly labelled as complying with *AS/NZS 1892.1.1996* and used in accordance with WorkSafe's "Best Practice Guidelines for working at Height in NZ"

All licensing and certification requirements shall be met by the Contractor.

9.8 Reporting of Accidents, Incidents, Near Miss or Notifiable Events

Contractors and workers are to use their own procedures to record, report and investigate accident/incidents and near miss events.

Notifiable Events

Under the HSWA Contractors are required to:

- ✓ Notify WorkSafe as soon as possible when a notifiable event occurs.
Preserve the site until an inspector arrives or otherwise directed by WorkSafe
Keep records of all notifiable events.
- ✓ Notify the Council Engaging Supervisor and/or the Council Health & Safety Advisor as soon as possible after WorkSafe have been notified. All written reports must be supplied to council within seven days.

All other Accidents/Incidents or Near Miss Events

- ✓ Must be reported in writing to the Council Engaging Supervisor or the Council Health & Safety Advisor within 48 hours or as required in contract documentation or agreement with the Council Engaging Supervisor.

9.9 Monitoring Contractors

The Council has a responsibility as a PCBU to monitor Contractor's health and safety performance. Contractors may be periodically assessed for their health and safety performance both during and at the conclusion of the contract.

The Council has the right to suspend work at the Contractor's expense where the Council is not satisfied that all reasonable steps are being taken to ensure the health and safety of workers and others in connection with the contract. Where repeated serious breaches of contract are identified, the Council shall have the discretion to terminate the contract.

- Public Safety Requirements when carrying out work on the Road or Roadside. All public safety measures, signs and warning systems defined in relevant legislation, guidelines, approved codes of practice and/or Road Controlling Authority instructions must be used and adhered to, at all times when working on the road or roadside.
- Prior to the commencement of any works to be undertaken in the road reserve, the Contractor must apply for a Corridor Access Request and submit a Traffic Management Plan to the Road Controlling Authority (typically the local Council, for local roads and NZTA for state highway works).
- Contractors are responsible for the health and safety of all people directly impacted by, or at risk from, the work being undertaken. This responsibility extends to risks not directly associated with the work activity or site such as detour routes, if they're deemed necessary.

9.10 Public Safety for other worksites

- Contractors shall ensure that the public are adequately warned by way of signs, barriers and/or other means at all times, where the work is likely to present a potential risk or hazard.
- Contractors have the right (and a responsibility) to instruct members of the public, not suitably protected, to leave or avoid the area whilst the works are being carried out.

9.11 Environmental Protection

Protecting Tasman's environment is a key function of the Council and is also a requirement under the Resource Management Act (RMA). Accidents often impact the environment and it is the responsibility of any Contractor to ensure safe practices are maintained to prevent and/or minimise any environmental impact.



10 Notification of 'Particular Hazardous Work'

Contractors must inform WorkSafe of any hazardous work being carried out as required under Regulation 26 of the Health and Safety in Employment Regulations (1995).

WorkSafe must be notified with 24 hours of work that is particularly hazardous.

The notification can be completed online and a copy of the notification must be supplied to the Council contact person.

Please refer to the WorkSafe website for a list of the hazardous work that is notifiable.

<http://forms.worksafe.govt.nz/hazardous-work-notification>



11 Insurance

Contractors must hold appropriate insurance to indemnify the Council against:

- ✓ Any loss suffered by the Council, which may arise out of or in consequence of work undertaken
- ✓ Any liability incurred by the Council in respect of injuries of persons or damage to property, which may arise out of or in consequence of work undertaken.
- ✓ Any costs the Council may incur in respect of that loss or liability.

Note: Insurance cover must remain in place for the duration of the contract and copies of the policy will be retained. The Council reserves the right to check the status of cover during the contract.

12 Non Compliance

If the Contractor does not comply with any of the requirements, the Council shall undertake the following:

- ✓ Consider the need for immediate actions to prevent serious harm.
- ✓ Immediately advise the Contractor's senior staff member on site of the issue.
- ✓ If the issue is minor the Contractor will be instructed either verbally or in writing to comply.

- ✓ If the issue is of a more serious nature the Council Engaging Supervisor and Council Health & Safety Advisor (if required) shall undertake a formal health and safety investigation. Once the investigation is complete the Contractor will be instructed to rectify outstanding issues within a specified timeframe. The timeframe will depend on the risk.
- ✓ A copy of the health and safety investigation will be sent to the Contractor and added to Vault and the contract file.

The Council Engaging Supervisor will check that the corrective action has been taken and is effective. If the action is effective, the matter is concluded. If the action has not been effectively implemented Council may:

- ✓ Issue a verbal instruction (followed by letter or email) to the Manager or Owner of the contracting company advising the specific issues that require immediate attention, and that an instruction will be given to shut the site forthwith, if the issues are not resolved within the specified time frame.
- ✓ Remain on site until the issue is resolved, or the site closed.
- ✓ Keep a written record of all actions taken.

13 Contractor Health and Safety Advice

Contractors should seek advice and assistance from their Council Engaging Supervisor, the Council Health & Safety Advisor, or WorkSafe if they are unsure of their health and safety responsibilities.

14 Other resources

[PCBUs working together: advice when contracting | WorkSafe](#)

[Overlapping duties | WorkSafe](#)

[Primary duty of care | WorkSafe](#)

CONTACT DETAILS

Tasman District Richmond Office

189 Queen Street, Private Bag 4,
Richmond 7050,
New Zealand

Phone: 03 543 8400
Email: info@tasman.govt.nz

www.tasman.govt.nz

Health & Safety

Email: HSAdvisor@tasman.govt.nz

FURTHER INFORMATION

WorkSafe New Zealand <https://worksafe.govt.nz/>

Freephone: 0800 030 040

Phone: 04 897 7699

Ministry for the Environment www.mfe.govt.nz

Freephone: 0800 499 700

Telephone: 04 439 7400

Email: information@mfe.govt.nz

