

Project Controls

Master Specification

PC-WHS1 Work Health and Safety

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2	Minor formatting and content changes	19/09/19
3	Added clause in Section 6 regarding operational works on catastrophic fire danger days. Also, minor change to Section 2 heading	August 2020

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PC-WHS1 Work Health and Safety

1 General

- 1.1 This part specifies the Contractor's obligations in regard to Work Health and Safety (WHS).
- 1.2 The Contractor shall be appointed as Principal Contractor for a construction project when the construction work is \$450 000 or more.
- 1.3 The Contractor as the Principal Contractor for the work under the Contract is authorised to have management or control of the workplace and to discharge the duties of a principal contractor under the WHS Regulations.
- 1.4 The Contractor shall:
 - a) comply with the Work Health and Safety Act 2012 (SA) ("WHS Act") and the Work Health and Safety Regulations 2012 (SA) ("WHS Regulations"). The definitions in the WHS Act and WHS Regulations apply to this Part (PC-WHS1);
 - b) comply with SA Health and SA Police Covid-19 requirements, including Emergency Management Directions made by the State Coordinator.
 - c) follow the requirements of the relevant current SA Development Act, Rail Safety National Law Act, Road Traffic Act inclusive of all other relevant Acts, Standards, Codes and Guidelines related to the works; and
 - d) conform to all other legislative requirements relating to the safety of persons or property on or about the site.
- 1.5 Every part of the works must use materials and construction methodologies being fit for purpose for which they are intended including the provisions of safe access for maintenance and inspection.
- 1.6 The Principal may engage other resources or subject matter experts to act on its behalf.
- 1.7 The Department expects all Contractors, Consultants, Subcontractors and their employees involved in any Department business to show the same commitment to health and safety as the Department does.

2 Safety Culture Assessment

- 2.1 The Principal's safety culture assessment and audit frameworks for construction Contracts are available https://www.dpti.sa.gov.au/contractor_documents/whs including:
 - a) the Principal's Minimum Safety Expectations;
 - b) the Principal's Outcome Based Safety Culture Measures; and
 - c) the Principal's Safety Culture Assessment Tool.
- 2.2 The Principal requires the Contractor and all Sub-contractors to develop a high-standard safety culture.
- 2.3 The Contractor's plans should consider actions to be taken by the Contractor to achieve a high-standard safety culture, including but not limited to:
 - a) leadership commitment;
 - b) communication and consultation;
 - c) hazard identification & prevention; and
 - d) performance review.
- 2.4 The Principal's Safety Culture Assessment Tool is completed by the Principal as a means of assessing the Contractor's safety culture during performance of the Contract. The Principal may conduct onsite safety audits, using the Assessment Tool to document evidence of compliance with the Measures.

- 2.5 The Principal's Minimum Safety Expectations specify minimum onsite Safety Requirements to be met or exceeded by the Contractor. These Expectations apply in addition to the Contractor's obligations under the WHS Act.

3 WHS Management System

- 3.1 The Contractor must demonstrate a third party certified WHS Management System in alignment with AS4801 or ISO 45001:2018.
- 3.2 The Contractor must demonstrate implementation and compliance to the WHS Management System provided under clause 3.1.
- 3.3 The Contractor's WHS Management system and plans must take into account the general public and visitors to the site (including Department officers), as well the contractor's own employees.

4 WHS Management Plan

- 4.1 The Contractor shall develop, implement and comply with a WHS Management Plan which details the processes and procedures to manage safety relating to the Work, and must include as a minimum:
- a) the names, positions and health & safety responsibilities of all persons at the workplace whose positions or roles involve specific health and safety responsibilities in connection with the project;
 - b) the arrangements in place, between any persons conducting a business or undertaking at the workplace where the construction project is being undertaken, for consultation, co-operation and the co-ordination of activities in relation to compliance with their duties under the WHS Act and WHS Regulations;
 - c) the arrangements in place for managing any work health and safety incidents;
 - d) any site-specific health and safety rules, and the arrangements for ensuring that all persons at the workplace are informed of these rules;
 - e) the arrangements for the collection, assessment, monitoring and reviewing of Safe Work Method Statements (SWMS) at the workplace;
 - f) the emergency management procedures;
 - g) a requirement to review and ensure the WHS Management Plan (WHSMP) is current and any revisions are communicated to all PCBUs;
 - h) references to the relevant Safe Work Method Statements applicable to the work under the Contract;
 - i) documents of the Contractor's methodology to ensure compliance with Clause 6 "Site Safety Representative";
 - j) an Audit schedule; and
 - k) the inclusion of a site layout plan (covering temporary accommodation, storage, pedestrian and vehicular routes, plant location and emergency procedures).
- 4.2 If not previously provided, the Contractor shall submit a copy of its WHS Management Plan to the Principal prior to the commencement of work on the site.
- 4.3 The provision of a current WHS Management Plan shall constitute a **Hold Point**.

5 Safe Work Method Statements (SWMS)

- 5.1 The Contractor shall:
- a) review and assess the work under the Contract to identify high risk construction work;
 - b) for work, which is identified as high risk construction work, prepare and comply with SWMS in accordance with clauses 299-300 of the WHS Regulations;

- c) obtain and review SWMS prepared by another PCBU for works identified under the Contract as high risk construction work;
 - d) ensure that each SWMS is reviewed and revised when risk control measures are revised; and
 - e) ensure all SWMS required in accordance with Clause 5.1 are in place prior to the commencement of the work, and that copies of Safe Work Method Statements are readily accessible to all workers where the actual works is being conducted.
- 5.2 Ensure all workers engaged to carry out high risk construction work have understood and signed onto the relevant SWMS and comply with all risk control measures detailed on the SWMS.

6 Catastrophic Fire Danger Days

- 6.1 The Contractor shall not undertake any operational works on declared catastrophic fire danger days for the area including the site, except those works immediately required to ensure the safety of traffic through the site.

7 Site Safety Representative

- 7.1 The Contractor shall provide a Site Safety Representative permanently onsite (whilst works are being performed) who is directly responsible to the Contractor's senior management and has responsibility for ensuring compliance with all WHS requirements specified in this Contract and WHS Management Plans.
- 7.2 At all times, the duties of the Site Safety Representative in regard to ensuring compliance with this Part (PC-WHS1) shall take precedence over any other activity undertaken by the Site Safety Representative.
- 7.3 The Site Safety Representative shall:
- a) possess the skill knowledge and experience to:
 - i) facilitate an induction and training program for all persons involved in construction activities;
 - ii) influence behaviours on Site; and
 - iii) initiate, manage and co-coordinate safety initiatives.
 - b) have authority to:
 - i) enforce the implementation of all measures specified in the Contract, WHS Plan and the Safe Work Method Statements; and
 - ii) stop the progress of any part of the work that does not comply with the WHS Plan, any Safe Work Method Statement and / or for the protection or safety of any person or property.
- 7.4 To ensure site WHS monitoring, the Contractor shall provide sufficient qualified safety professionals onsite to meet the following, inclusive of all site personnel:
- a) 1-50 workers - Site Safety Representative;
 - b) 51-250 workers - Site Safety Representative plus additional dedicated safety professional; and
 - c) over 250 workers - Site Safety Representative and two dedicated site safety professionals.

8 Audits

- 8.1 The Contractor's WHS Management Plan shall include an audit schedule and reference an audit procedure.
- 8.2 In addition to audits arranged by the Contractor, the Contractor shall allow external audits of the Contractor and any subcontractor to be undertaken by or on behalf of the Principal. Audits may be undertaken of the Contractor's compliance with any matter relating to the safety requirements of this contract or legislation. The audits may be undertaken without notice at any time.

- 8.3 The Contractor shall provide relevant requested documentation, access to all worksites and SSR input to enable the Principal to carry out auditing, surveillance and verification activities.
- 8.4 Where a non-conformance is detected during an audit, the Contractor shall commence immediate action to rectify the non-conformance.

9 Surveillance and Verification

- 9.1 In addition to audits arranged by the Contractor, the Contractor shall allow the Principal (either directly or via a third party) to undertake surveillance and verification of the Contractor's (and sub-contractor's) compliance with any matter relating to the safety requirements of this contract or legislation.
- 9.2 The Contractor shall provide relevant requested documentation, access to worksites and appropriate management and / or Safety representative input to enable the Principal to carry out surveillance and verification activities.

10 Performance Reporting

- 10.1 At each key site meeting or upon request, the Contractor shall provide evidence of the Contractor's safety management performance, including the following information:
 - a) safety incidents which are deemed notifiable incidents to a regulator (i.e. SafeWork SA, Office of National Safety Rail Regulator (ONSRR), Office Technical Regulator – Gas, Electrical, Water);
 - b) Critical Incident Frequency Rate (CIFR) for all works;
 - c) Loss time Injuries (LTI);
 - d) Total Incidents;
 - e) Chain of Responsibility metrics as per Clause 12.2;
 - f) status of the implementation and outcomes of corrective actions undertaken as a result of WHS investigations from regulatory reporting or previous audits;
 - g) current Risk Register; and
 - h) any other key performance indicators (KPIs) noted in other relevant documentation.
- 10.2 When requested, the Contractor shall provide reports on WHS inspections, audits or assessments undertaken during the course of the Contract.

11 Incident Notification & Reporting

- 11.1 In the event of a notifiable incident occurring as defined under the WHS Act, the Contractor shall inform the Principal at the same time (immediately) as informing the Regulator.
- 11.2 Within 24 hours of a notifiable incident occurring the Contractor shall provide to the Principal written notification of the incident.
- 11.3 Written notification of the incident including confirmation the relevant regulatory body has been notified shall constitute a **Hold Point**.
- 11.4 Within 3 days of a notifiable incident occurring the Contractor shall:
 - a) provide either a preliminary report to the Principal detailing the event, immediate actions and methodologies to eliminate the risk; or
 - b) provide a completed report giving details of the incident, and finalised investigation including results of investigations into its cause and any recommendations or strategies for prevention in the future when completed;
 - c) where a preliminary report has been issued, provide a completed report within 2 weeks unless agreed with the Principal.

- 11.5 Provision and acceptance of the completed report on the notifiable incident shall constitute a **Hold Point**.
- 11.6 The Contractor shall cooperate and assist with any investigation into an incident which the Principal may undertake.
- 11.7 For non-notifiable incidents, the Contractor shall immediately inform the Principal:
- a) of any injury involving medical treatment (treatment from a qualified medical practitioner) not otherwise defined as a notifiable incident; and
 - b) of any 'near miss' event requiring immediate action.
- 11.8 The Contractor shall, within 24 hours, provide to the Principal an Incident Report for all injuries or 'near misses' and as soon practicable, undertake an investigation proportionate to the severity, or potential severity, of the consequences of the incident.
- 11.9 Within 3 days of a non-notifiable incident occurring, the Contractor shall:
- a) provide either a preliminary investigation report to the Principal outlining the cause and actions taken to eliminate or minimise the risk;
 - b) provide a completed investigation report giving details of the incident, and finalised investigation including results of investigations into its cause and any recommendations or strategies for prevention in the future when completed; or
 - c) where a preliminary investigation report has been issued, provide a completed investigation report within 2 weeks unless otherwise agreed with the Principal.

12 Chain of Responsibility Management Plan

- 12.1 The Contractor shall prepare a Chain of Responsibility (CoR) Management Plan.
- 12.2 As a minimum, the plan must address the following matters:
- a) hazard identification, risk analysis and control of CoR issues;
 - b) methods to meet legal obligations and manage compliance with speed, fatigue, mass, dimension, loading and vehicle requirements;
 - c) reporting on safety metrics, near misses, accidents, incidents and infringements arising from CoR issues;
 - d) methods of managing interfaces with stakeholders, suppliers, subcontractors and other organisations related to CoR;
 - e) CoR related communication protocols; and
 - f) defined organisation responsibilities for CoR.

13 Chain of Responsibility Reporting

- 13.1 The Contractor shall, within 24 hours, notify the Principal of near misses, accidents, incidents and infringements arising from CoR issues, and provide details of associated corrective actions.
- 13.2 At each site meeting, or upon request, the Contractor shall report on:
- a) CoR compliance performance; and
 - b) CoR metrics (e.g. fatigue, loading breaches, speeding, fleet maintenance).

14 Non-Compliance

- 14.1 The Contractor's attention is drawn to the powers of the Principal under the General Conditions of Contract to direct the Contractor to suspend the progress of the whole, or part of, Work under the Contract for such time as the Principal is convinced the site is fit for the protection or safety of any person or property.

- 14.2 Any direction to suspend the whole, or part of, Works for the protection or safety of any person or property will not constitute grounds for an extension in time including the time taken to rectify and make safe to the satisfaction of the Principal.
- 14.3 Where a non-compliance has been identified the Contractor shall immediately eliminate or minimise 'so far as reasonably practicable' the risk and make safe.
- 14.4 The Contractor shall provide the Principal evidence of action(s) taken to address a non-conformance and make safe.

15 Hold Points

- 15.1 The following is a summary of Hold Points referenced in this Part:

Table PC-WSH1 15-1 Hold Points

Document Ref.	Hold Point	Response Time
4.3	Submission of WHS Management Plan or proposed amendments to the WHS Management Plan.	10 Working Days
11.3	Written notification of a notifiable incident including confirmation the relevant regulatory body has been notified	24 hours
11.5	Completed report on a notifiable incident	3 Working Days