

NEW ZEALAND
GOVERNMENT PROCUREMENT

Health and Safety

Construction Procurement Guidelines

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**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**
HĪKINA WHAKATUTUKI

Construction Procurement Guidelines

The purpose of the Construction Procurement Guidelines is to provide government agencies with guidance on the government's standards of good practice for the development of their construction procurement strategy. The Guidelines are intended to support government agencies to improve the quality and consistency of their construction procurement practices.

The Guidelines consist of a suite of sections, each covering a subject matter area. They are considered to be live documents which we may update and add to, from time to time, to ensure they remain current and relevant. You can download the latest version of each section, along with any accompanying tools and templates, from www.procurement.govt.nz.

To provide feedback on the Guidelines, email procurement@mbie.govt.nz.

Major infrastructure project guidance

Major infrastructure projects by their very nature are large scale and complex – they have bespoke issues, risks and challenges that may require more sophisticated project planning, management, procurement and governance approaches. The New Zealand Infrastructure Commission - Te Waihangā, publishes major infrastructure guidance for projects with a total cost of ownership of greater than \$50m.

For more information about major infrastructure project guidance and the support provided by the Infrastructure Commission, see www.infracom.govt.nz or contact the Infrastructure Commission at info@infracom.govt.nz.

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Health and safety

Overview

This guide is on health and safety in construction procurement and is intended to complement the [Government Health and Safety Lead's](#) broader guidance for improving health and safety through procurement.

For more information, see [A Good Practice Procurement Guide for Improving Health and Safety](#).



Agencies must document how the health and safety management practices outlined in the guidelines will be implemented in their procurement strategy/plan.

Primary source of content

This section of the guidelines has been adapted from guidance produced by WorkSafe Victoria (Australia)¹ and [WorkSafe New Zealand](#). This guideline contains third party copyright material. Key elements have been adapted for a New Zealand audience. Refer to the source material for more information on its terms of reuse.

Context

Government agencies have an obligation under the [Health and Safety at Work Act 2015](#) (HSWA) to ensure, as far as reasonably practicable, the provision and maintenance of a work environment that has identified and managed health and safety risks. This includes a duty to communicate, consult, cooperate and coordinate activities with the construction supply chain in meeting its health and safety responsibilities so far as reasonably practicable.



The meaning of 'so far as is reasonably practicable'

Many duties under HSWA apply 'so far as is reasonably practicable'. It's an important concept that involves doing what is reasonably able to be done to ensure people's health and safety under the given circumstances.

Something is 'practicable' if it is possible or capable of being done. 'Reasonably' doesn't mean doing everything humanly possible to manage a risk. A question to consider initially is whether you are doing what other similar businesses would reasonably do in the same situation.

Health and safety is an imperative. Beyond that, as government agencies and public servants, we have a duty to lead by example. Building health and safety into all our work, into every contract, sets a good practice example.

Prioritising good health and safety standards as a strategic objective makes good business sense, meaning agencies can meet their ethical and legal obligations to prevent harm to contractors, staff and the public.

For more information, see [WorkSafe NZ's Health and Safety at Work Quick Reference Guide](#)

¹ Handbook for the public sector: Health and safety in construction procurement, Worksafe Victoria (Australia)
<https://content.api.worksafe.vic.gov.au/sites/default/files/2018-06/ISBN-Health-and-safety-in-construction-procurement-handbook-public-sector-2017-06.pdf>

Incorporating health and safety into the procurement process

The senior responsible officer (SRO) is accountable for ensuring that health and safety is incorporated into each stage of the procurement process. This includes delegating responsibility to an appropriate member of the project team to manage the process.

For small projects this responsibility could be delegated to a member of the client's project team, who would manage the process and seek expert advice and input as required. For larger projects with an externally appointed project manager, this responsibility could be included as part of their scope of services, provided they can demonstrate their capability in the required skills, and have the experience necessary.

Larger scale projects, or projects with a high degree of complexity and/or risk, may require a trained health and safety professional who has an appropriate level of knowledge, experience and competence (preferably in building and/or civil construction) to prioritise health and safety throughout the project. If this expertise is not available in-house to the client organisation it will need to be brought in.



The role of the project health and safety professional for large-scale, highly-complex or highly-risky projects includes:

- ☐ advising on the project's safety requirements
- ☐ collaborating with the project team and other stakeholders (eg with contractors during site audits)
- ☐ identifying the need for technical safety specialists (eg ergonomists, hygienists, and engineers)
- ☐ assisting with developing safety requirements in contracts and tender documents
- ☐ contributing towards construction planning and decision making
- ☐ regularly reporting on the project health and safety performance linked to project risks
- ☐ assisting in monitoring contractor health and safety performance.

Clients with little or no in-house expertise in designing, procuring, and managing construction projects will be reliant on externally-appointed organisations (eg project managers, design consultants and construction companies) to carry out these activities on their behalf. While these companies will have specialist expertise in their respective fields, the client, as a person conducting a business or undertaking (PCBU), is obligated under HSWA to regularly check that these organisations are competent in carrying out their duties in a manner that meets HSWA requirements. In addition, as a PCBU, the client is under a duty to consult, cooperate and co-ordinate with those in its contracting chain to ensure good health and safety is maintained throughout the project.

This includes the ongoing monitoring of the consultants' and contractors' performance. Good performance in health and safety is non-negotiable.

While the HSWA has minimum requirements for legal compliance, the client can influence good health and safety management practice by placing a greater emphasis on this through the tender process for selection of consultants and contractors.



What is a PCBU?

A PCBU is a 'person conducting a business or undertaking'. A PCBU may be a person if a sole trader or self-employed, however it usually refers to a business entity such as a company, or an undertaking such as a not-for-profit organisation.

The difference between a business and undertaking is:

- › a business is an enterprise usually conducted with a view to making a profit
- › an undertaking is usually not profit-making or commercial in nature.

A government department or agency, a local council or a school are all examples of an undertaking.

A conceptual model of the construction procurement process

The figure below is a conceptual model of the procurement stages that all projects will pass through, and is used as a basis for this guide.



Phase	Construction procurement stage	Health and safety considerations
Plan	Planning <ul style="list-style-type: none"> Develop the project brief (scope) Develop the business case Develop the procurement strategy and plan 	<ul style="list-style-type: none"> Identify general health and safety issues in the project Identify specific health and safety issues from prior experience Identify health and safety issues for extensions or refurbishment of existing assets Establish risk management practices
	Design <ul style="list-style-type: none"> Design the project Include health and safety risks in project governance Identify key risks for response by tenderers 	<ul style="list-style-type: none"> Incorporate the principles of Health and Safety by Design into the design process Consider options to eliminate or reduce safety risks through design Prepare a design safety report and commence preparation of a health and safety work file
Source	Tender <ul style="list-style-type: none"> Prepare tender documentation Evaluate tender submissions against health and safety criteria 	<ul style="list-style-type: none"> Look at using pre-qualification to ensure that those invited to tender have appropriate health and safety practices Determine the health and safety information required to be provided to tenderers Determine the information requirements for tenderers including how they select and manage sub-contractors Ensure that you have appropriate weightings for evaluation of health and safety proportionate to the level of risk
	Contract <ul style="list-style-type: none"> Draft and execute the contract 	<ul style="list-style-type: none"> Include a HSWA clause Develop contract requirements that clearly set out the responsibilities of the parties Define the processes for audits and inspections of the performance of the contractor and its sub-contractors
Manage	Construction <ul style="list-style-type: none"> Carry out construction work Monitor site health and safety 	<ul style="list-style-type: none"> Require regular health and safety reports Require regular meetings Carry out audits Develop a process for commissioning and final inspection
	Evaluation <ul style="list-style-type: none"> Evaluate the project 	<ul style="list-style-type: none"> Develop a health and safety evaluation report

Plan phase

Planning stage



Addressing safety in the planning stage of the project allows risks to be identified and managed, or potentially be removed or designed out of the project.

The planning stage includes developing the project brief and business case, and ends with the development of an appropriate procurement strategy that sets out an appropriate delivery model and approach to market. It is critical that health and safety issues are considered during this stage to ensure that health and safety becomes an integral part of the entire construction procurement process.

The business case stage will have considered a range of options to meet a specific need and each of these will result in different health and safety risks. A need to increase an organisation's operating footprint could be met through a new building or an extension to an existing facility. Each of these options will present different health and safety risks that can be considered as part of options appraisals.

Some design work may need to have been carried out during the business case stage for the purpose of testing the feasibility of certain options, for example complex foundation solutions to make the site usable, and this presents an opportunity to consider potential risks at an early stage.

The early identification of potential hazards and risks for the end-user or occupier as well as potential risks to be managed during the construction phase will enable risks to be identified and managed, or potentially removed or designed out of the project.

Identifying risks at this stage in the project can promote a good health and safety culture among the team and is likely to result in good health and safety outcomes being achieved for the project. This can also help to avoid projects running significantly over budget due to unforeseen health and safety risks. Health and safety issues that only become apparent during construction or after completion can be extremely difficult to rectify and can involve considerable time and cost.

Actions to take during the planning stage

Establish risk management practices

Risk management is an integral part of good project governance. Health and safety risks should be considered in the same way as other risks to a project, such as financial, resource and schedule risks. A health and safety risk management strategy and plan should be established during the planning phase, to address the following:

- processes to identify and assess health and safety risks at regular intervals – this may be as simple as having health and safety as a standing agenda item for all project team meetings, or may involve risk management workshops at key stages of the design development process
- establishing the means to record identified hazards and risks during project activities in the risk register
- implementing a design document control and formal change management process so that the most recent design and project information can be determined, and changes tracked
- identifying how information relating to risk from previous projects or generated through the design process will be available to the project team and referred to
- identifying the use of health and safety advice from suitably-qualified people where risks are beyond the scope of the knowledge of project personnel.

It is not anticipated that every health and safety risk can or will be identified during the planning phase. It is, however, important to make reasonable efforts to identify risks at this point and establish health and safety risk management practices.

Identify general health and safety issues in the project

Whether the asset is a building, roadworks, accommodation facilities, community redevelopment or civil construction, it is important to identify the broad health and safety issues that may be involved.

Consider health and safety during the construction phase

Some useful questions include:

- What are the key activities involved in the construction project, and are there any obvious associated risks? (eg is something being done a specific way for the first time?)
- Does the project involve (or is it likely to involve) complex and high-risk procedures? (eg tunnelling, confined spaces)
- Does the project involve (or is it likely to involve) complex and high-risk working environments? (eg live road or rail situations)
- Does the project involve (or is it likely to involve) working with hazardous materials and dangerous goods? (eg asbestos, toxic materials, silica dust etc)
- Are there any risks associated with existing land use (eg reclaimed land), surrounding areas or planned future projects?

Consider health and safety during the operational use and maintenance phase of the asset

Some useful questions:

- Are there any obvious risks associated with the intended use of the building? (or other type of construction)
- Are there any obvious risks associated with expected maintenance or repair requirements?
- Will there be problems if the building (or other type of construction) needs to be refurbished?
- Will there be problems if the building (or other type of construction) needs to be demolished?
- Are there any obvious risks presented by surrounding land use?
- Are there any obvious risks presented by future development?
- Who could provide useful information through consultation? (eg workers, health and safety representatives, operators or end users of similar projects)

Identify specific health and safety issues from prior experience

When identifying health and safety issues, it is important to consider the lessons provided by similar projects carried out in the past. It is highly recommended that any available information from previous projects be reviewed at this early stage.

Identify health and safety issues for extensions or refurbishment of existing assets

During the planning stage, it is important to identify any hazards and risks from any interface with existing buildings or infrastructure and incorporate the control measures into the construction work. These risks and associated risk controls should be separately documented for designers and builders of the project.

Also, during planning, consultation with workers on the extension or refurbishment of their facilities is a useful way to identify interface risks. It will also help to fulfil the employer's duty to consult.



Health and safety risk workshops

Workshops can be useful for identifying specific project health and safety risks.

For large or complex projects, it is good practice to hold a risk management workshop with the project team and relevant stakeholders to identify and document the safety risks that could arise as part of the project at this stage, or during the next (design) stage. This should also involve reviewing the outcomes of any relevant past projects.

These types of risk workshops should be separate from the general risk management workshops that may take place to identify project risks in general, to provide greater focus on specific health and safety issues.

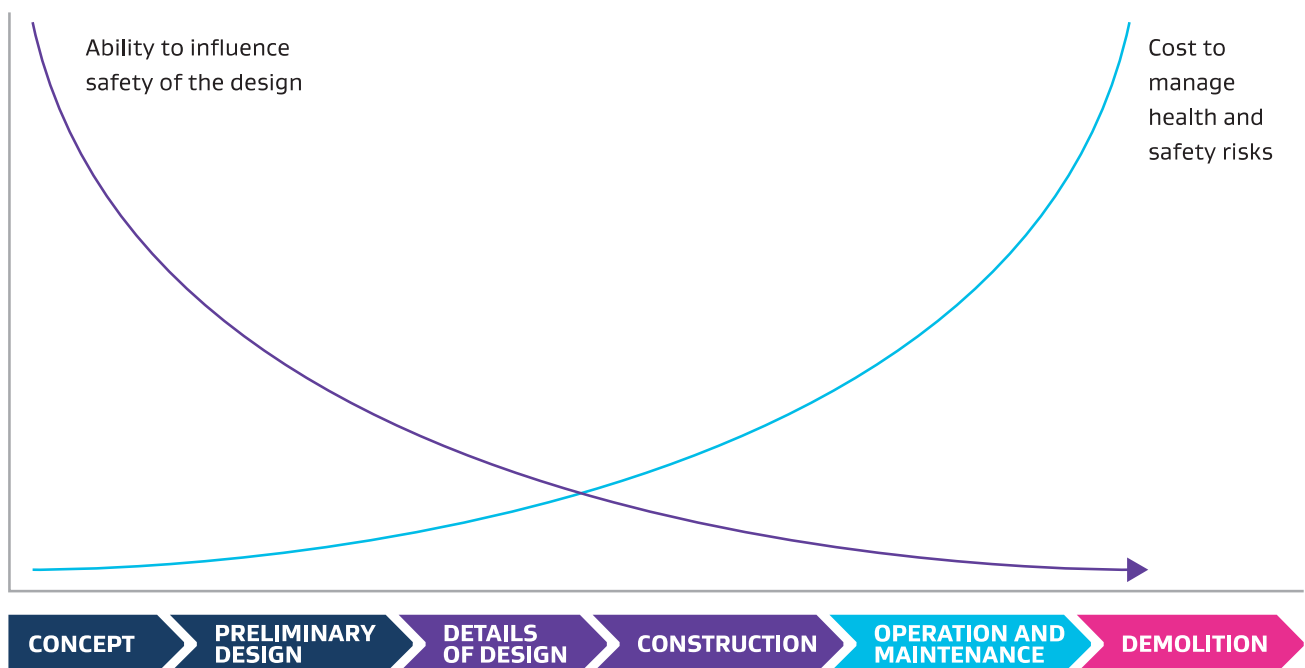
Design stage



Through careful design, certain risks in the work can be reduced or eliminated.

While good health and safety outcomes can be influenced throughout all stages of the construction procurement process, the biggest opportunity lies in the early stages of a project, where designers are in a strong position to make work healthy and safe. Through careful design, certain risks involved in the work can be reduced or eliminated. This is the most cost-effective way to incorporate health and safety into construction projects. Figure 1 shows the decrease in ability to influence health and safety over the lifecycle of a project.

Ability to influence health and safety highest in the early stages of a project²



² Adapted from Symberszki, R, (1997), Construction Project Safety Planning. TAPPI Journal, 80 (11), 69–74

Actions to take during the design stage

Incorporate the principles of Health and Safety by Design into the design process

[Health and Safety by Design](#) is the New Zealand Government's recommended process for managing health and safety risks throughout the lifecycle of structures, plants, substances or other products.

In this phase, health and safety issues identified during the planning phase should be reviewed to determine whether they can be eliminated or reduced through design. Processes should also be established to capture new hazards and associated risks as they are identified in the design stage.



Make Health and Safety by Design a key criterion in selecting consultants

When project management or design consultants are being outsourced, the scope of services should include a requirement to incorporate the principles of WorkSafe's Health and Safety by Design Guidelines.

When evaluating consultant tenders, make Health and Safety by Design a key criterion of the tender evaluation process, by considering the consultant's track record and systems and processes for incorporating Health and Safety by Design principles into the design process, as well as their proposed approach to the project.

This applies equally to those involved in design and those involved in project management, although there will be a slightly different emphasis for each. The designer will need to demonstrate their own processes for incorporating these principles to ensure safety is at the forefront, while the project management company's focus will be on demonstrating its ability to embed these principles into the overall project management framework.

For more information, see [WorkSafe New Zealand's Health and Safety by Design: an introduction](#)

Consider options to eliminate or reduce health and safety risks

The design should be under constant review to identify risks of harm to people employed for construction work, as well as end-users, occupants and those tasked with maintaining the asset.

Identified health and safety risks should be regularly reviewed to determine how they can be designed out or significantly reduced. This can be done through regular meetings or dedicated sessions for more complex matters, which may include specialist advice.



Categorising health and safety risks

Categorising health and safety risks can be useful for thinking through appropriate mitigation strategies.

Health and safety risks should be categorised into those that affect the end-user, and those that affect the construction contractor. While a risk may appear in both categories the mitigation strategies are likely to be different. For example, construction activities in areas affected by contaminated soil affecting construction workers will be managed differently to the issues this would create for the end-user of the asset, eg a gardener.

Consultation with end-users, health and safety representatives and those responsible for maintenance should be undertaken as part of this process, as they may be able to provide information on potential risks associated the project.

Consultation is critical for extension and refurbishment projects as the existing workers will be directly affected by the final design. For the construction of new buildings or infrastructure this may not be possible. However, all reasonable steps should be taken to consult with all relevant parties.

Prepare a design health and safety report and health and safety work file

Designers have a duty to provide information to others, including end-users, to ensure that the asset or facility can be constructed, operated, maintained and disposed of in a way that will not cause harm.

One method of communicating specific health and safety information relating to the design of a structure/plant is by providing a **design health and safety report**. It should include information about:

- the purpose of the structure/plant as communicated by the client in the project brief
- the parties consulted in undertaking the design
- the hazards and risks identified during the design process, and control measures incorporated into it, specifically in relation to any hazardous materials
- unusual features requiring attention during construction and manufacture
- features of the design which present risks
- recommended control measures for any foreseeable activities (eg operation, maintenance, repair, dismantling, demolition, disposal) to be carried out during the life of the structure/plant when used for its intended purpose.

The development of a **work health and safety file** (containing all relevant information for an asset or facility) can help the design team and contractor in meeting their duties in providing information to others. It could include copies of all relevant health and safety information the designer prepared and used in the design process, as such as the design health and safety report, risk register, product technical statements, health and safety data sheets, manuals and procedures for safe maintenance, dismantling or eventual demolition. The work health and safety file will also require input from the contractor during the construction phase.

The format and content of the work health and safety file should be agreed on and developed at the outset, so that information can be included by the relevant parties as the project progresses. A useful way of thinking of a work health and safety file is as a health and safety manual for a specific asset or a facility, which should be user-friendly. This does not mean it cannot contain any technical information, but end-users need to be able to navigate their way around the document in a way that they can understand the context of the information being provided, its intended purpose, the audience it is intended for and how it is to be used.



Design safety report and work health and safety file

Be clear about who will coordinate information and prepare the design safety report and work health and safety file.

Where the client does not have in-house expertise the responsibility for coordinating and preparing these documents will need to be carried out by external companies with the appropriate skills and expertise (eg project manager, architect or engineering company, depending on the nature of the project). For most projects this role usually carried out by the lead design consultant (typically the architect), but the requirement for this will need to be clearly defined in the scope of services.

Where the project requires a specially-appointed health and safety specialist, for leading health and safety, this may be included within their scope.

Source phase

Tender stage



Agencies need to ensure that the contractors they choose are able to carry out the work in a safe and healthy manner.

Health and safety should be a fundamental part of the selection process when tendering for construction work. Contractors undertaking the work on behalf of clients are also discharging HSWA duties on their behalf.

Clients need to take reasonable steps to be satisfied that both the general duties under the HSWA – and the health and safety risks and requirements identified during the planning and design phases – can be adequately addressed by the contractor selected to do the work.

Tender documents provide an opportunity to assess all aspects of potential contractors' performance and it is essential all relevant information is provided to allow thorough evaluation of each bid.

Actions to take during the tender stage

Key considerations for tendering for a contractor

Tender documents should not only specify that contractors are expected to comply with relevant HSWA legislation, but should also require them to demonstrate their health and safety capabilities with respect to the project.

Before going out to tender, you should think about how health and safety information will be included in the tender process, and how you will structure and evaluate tender responses to ensure that selected contractors have appropriate health and safety practices. You should think about:

- the work covered by the contract, and potential health and safety risks
- how health and safety issues will be included in the tender documents
- what health and safety information should be provided to potential tenderers
- how you will assess the health and safety capability of potential tenderers.



Examples of key considerations for tender information requirements:

- ☐ past performance/experience in health and safety
- ☐ experience in the type and complexity of work to be carried out
- ☐ resources to carry out the work safely
- ☐ how health and safety risks will be eliminated/minimised
- ☐ accreditation under health and safety management programmes
- ☐ health and safety certificates of competence issued by training institutions or similar
- ☐ compliance with relevant standards, where applicable
- ☐ policies and procedures, including whether they have effective worker engagement, participation and representation practices in place
- ☐ organisation and arrangements (including assignment of responsibility for health and safety issues, and worker engagement, participation and representation)
- ☐ sub-contractor selection and management
- ☐ what information, training and supervision is provided to workers
- ☐ what performance standards are planned and set
- ☐ risk assessment processes
- ☐ accident reporting, recording and investigation methods
- ☐ performance monitoring processes
- ☐ review methods.

Pre-qualification of contractors

Pre-qualification is used to establish a shortlist of potential tenderers, looking at the general ability and competence of contractors for the work. You can use this process to help determine how well contractors manage health and safety. It asks potential tenderers to demonstrate an effective health and safety management system, and asks them for information on managing specific risks. You can also use pre-qualification as an opportunity to assist and support contractors to improve their health and safety practices.

The level of detail required for pre-qualification should be appropriate for the type of project, taking its size and complexity into account.

If you choose not to use pre-qualification, health and safety information will still need to be requested and examined in the later stages of the tender.

Looking at the health and safety management of potential tenderers as a pre-qualification stage emphasises the importance of health and safety. It also means that only contractors with appropriate health and safety practices will be invited to tender for the contract.



Pre-qualification questionnaire

A good example of a pre-qualification questionnaire that specifically addresses questions related to health and safety is provided by WorkSafe.

For more information, see [PCBUs working together: advice when contracting](#)

Tender information

When preparing tender documentation (whether or not pre-qualification has been used) you should:

- describe the potential health and safety risks known at the time of tender
- describe any specific arrangements that would allow the contractor to work within your health and safety management system
- request the tenderers to describe their risk management processes, identify any specific risks that you may not be aware of and describing how they intend to manage specific work risks related to the contract
- request details of how contractors select and manage their sub-contractors to ensure that good health and safety practice is maintained throughout the project
- provide details of any permit to work systems (if the project is high hazard) or specific procedures required to manage risks for hazardous work



Examples of key considerations for tender information requirements:

- ☐ past performance/experience in health and safety
- ☐ experience in the type and complexity of work to be carried out
- ☐ resources to carry out the work safely
- ☐ how health and safety risks will be eliminated/minimised
- ☐ accreditation under health and safety management programmes
- ☐ health and safety certificates of competence issued by training institutions or similar
- ☐ compliance with relevant standards, where applicable
- ☐ policies and procedures, including whether they have effective Worker engagement, participation and representation practices in place
- ☐ organisation and arrangements (including assignment of responsibility for health and safety issues, and worker engagement, participation and representation)
- ☐ sub-contractor selection and management
- ☐ what information, training and supervision is provided to workers
- ☐ what performance standards are planned and set
- ☐ risk assessment processes
- ☐ accident reporting, recording and investigation methods
- ☐ performance monitoring processes
- ☐ review methods.

It is good practice to issue the design health and safety report that was prepared during the design stage to the tenderers, identifying any risks that remain after the design stage, and highlighting any specific construction risks that may require a specific response from tenderers as to how these will be mitigated and managed.



Information for tenderers

WorkSafe recommends providing tenderers with an 'information for tenderer' document that records the details of the project, including health and safety risks, as preliminary information for contractors. Where this form is used for your project (adapted as appropriate), the design safety report can be incorporated into this under the identified risks for health and safety.

While this information is provided by the client, designers, technical experts and project managers appointed to the project should support this process in providing the necessary technical inputs required.

For more information, see [PCBUs working together: advice when contracting](#)

Sub-contractors

You should request (in the tender documents) information from contractors on how they approach the selection and management of sub-contractors to maintain good health and safety practices.

If your project has specific health and safety requirements, such as a permit-to-work system or significant hazards, you can also nominate sub-contractors yourself to ensure they are competent to carry out the work. You can assess the competence of individuals by looking at their training, qualifications and past experience. Contractors should seek approval from you before sub-contracting any work other than that indicated in the tender.

If your contractors tender for or select their own sub-contractors, they must provide them at tender stage with information about the project, the site, health and safety plans, and any other relevant information. Some of this information will be available from the pre-qualification and/or tendering materials you've supplied to the main contractor, but some of this will also have been developed by them (e.g. site-specific health and safety plan). Contractors who are hiring their own sub-contractors must make sure that they have enough information to ensure site-specific provision for health and safety in their own tendering documents.

Tender evaluation

Once tenders have been received, the submissions need to be evaluated against the criteria specified in the tender documentation. Health and safety issues should be given appropriate weighting as part of this process. The weighting should be proportionate to the level of risk identified during the planning and design phases of the project.

You should ensure that:

- tenders are assessed by competent people, with skills and knowledge relevant to the health and safety requirements of the project
- tender evaluation includes adequate consideration of health and safety requirements
- enough time is allocated to assess the health and safety requirements of tenders
- the proposed schedule for the project would not pose a risk to health and safety
- the health and safety performance of potential contractors is adequately assessed
- all tenders are thoroughly reviewed, benchmarking the potential contractor's health and safety competence against tender requirements.



Setting aside time for structured interviews and/or workshops during the tender process can improve potential tenderers' understanding of project health and safety risks, and their response to managing these, and can also be used in assessing the potential tenderers' capability

This becomes particularly important where the project is large-scale or complex

For more information, see interactive and collaborative tender processes as part of [Developing your Construction Procurement Strategy](#).

Contract stage



The safety provisions should clearly articulate the roles and responsibilities of the parties to the contract.

Once the tender evaluation process is complete and a preferred supplier has been identified you should start sharing information with them immediately. It is good practice to hold a pre-contract meeting to ensure that the roles and responsibilities of the parties to the contract are clear and to clarify any issues that may remain post-tender (before signing the contract).

Actions to take during the contract stage

Include a HSWA clause

All contracts should include a HSWA clause that sets out all HSWA obligations and duties and refers to any relevant health and safety guidelines and statutory requirements. Although no-one can contract out of their obligations under HSWA due to it being a legislative requirement it is useful to remind tenderers of their obligations through the contract.

Contract requirements

The contract documents should clearly state the responsibilities of all parties during the construction phase. It should include expectations and/or mandatory requirements including:

- HSWA performance measures and reporting
- site inductions and other training requirements
- site health and safety meetings, consultation and dispute resolution
- inspection and audit regimes and corrective actions
- incident, near miss and significant hazard reporting
- reporting of WorkSafe notices, etc
- change reporting (including factors that may impact health and safety including time, cost etc)
- capturing and reporting of health and safety risks
- commissioning, final inspection and handover health and safety requirements.

The Government Health and Safety Lead has an Indicators and Measures Knowledge Bank which offers a range of indicators and measures that can be included in contracts and used to assess health and safety performance of organisations.

For more information, see [Health and Safety Indicators and Measures Knowledge Bank](#).

Monitoring the contract

Whether the client wishes to undertake its own audits or inspections, appoint an independent auditor, or both, this should be clearly stipulated in the contract.

You, or someone you nominate, should monitor the contract for its duration. This includes:

- monitoring the performance of contractors and sub-contractors, including their health and safety performance
- monitoring work conditions and practices
- bringing unsafe conditions or practices to the attention of the contractors
- making sure that unsafe conditions or practices are managed.

The person monitoring the contract should be appropriately trained to carry out the monitoring. For most clients without in-house expertise, this role would typically be undertaken on a client's behalf by an externally-appointed project management company. In this case the client must ensure that the project manager has the competence and capacity to carry out this function, and should monitor the project manager's performance to ensure it is doing this effectively.



Monitoring the contract

Monitoring the contract can include (this list is not exhaustive):

- ☐ managing the agency/contractor relationship
- ☐ making sure all parties are aware of their roles and responsibilities throughout the contractual framework
- ☐ taking overall responsibility for the control and coordination of the contract
- ☐ holding regular meetings to review health and safety performance
- ☐ carrying out regular inspections
- ☐ raising issues that require attention by the contractor
- ☐ investigating and responding to accidents and incidents
- ☐ recording health and safety progress for use in future contracting situations
- ☐ regularly reporting to the contractor on performance
- ☐ carrying out a post-contract review.

Manage phase

Construction stage



By this phase, the contractor's safety obligations will be clearly defined in the contract and reflected in the contractor's HSWA management system.

The construction phase includes all building or redevelopment work. It includes any preparatory work, access and delivery of materials to the worksite, as well as excavations and fencing.

By this phase, the contractor's health and safety obligations will be clearly defined in the contract and reflected in the contractor's health and safety management system. The level of monitoring of the construction work by the client should be clearly defined in the contract.

At the completion of the construction phase, it is important that health and safety is considered in any commissioning and final handover processes. Any health and safety risks that may impact commissioning or end-use must be recorded and considered during the next phase of the work.

Actions to take during the construction stage

Obtain regular health and safety reports

The amount of information and frequency of health and safety reports provided by the contractor should reflect the size, complexity and duration of the construction work. A pro-forma or template approach helps to ensure that the information is provided consistently and meets the obligations of the contract.

Based on the contractual requirements, the health and safety reports should cover, for example:

- key performance indicators, such as injury frequency, inspections and audits completed, site meetings held, etc.
- details of significant incidents or near misses
- significant issues identified through inspections and audits
- corrective actions taken
- WorkSafe and other regulatory visits and notices
- important project changes, including time, workforce etc.
- newly identified risks.

Require regular meetings

Regular meetings ensure all parties are kept informed of health and safety issues. To ensure their effectiveness, meetings should:

- include an agenda (a pro forma should be used)
- be held monthly or quarterly depending on the duration and complexity of the project
- include employee representatives to ensure consultation occurs with site workers.

Carry out audits

Depending on the size and complexity of the project, and the available level of expertise, it is recommended the client considers undertaking its own audits of the construction work. Where the expertise is not present in the client's organisation, the use of independent auditors or health and safety professionals may be required.

The audit should involve comparing the contractor's activities against its own documented procedures, the client expectations/requirements and industry best practice. The audit report may include recommended actions to address audit findings.

Develop a process for commissioning and final inspection

Prior to the handover of the site, it is important to ensure appropriate processes are in place to allow for the transfer of relevant health and safety information. When commissioning a new facility, a range of health and safety aspects need to be taken into account, including:

- technical instruction (eg how to use and maintain the plant safely)
- the health and safety of the end-user, including any required training (eg for those who maintain or operate the plant)
- the health and safety of building maintenance personnel
- requirements for licensing, notifications, permits etc

As commissioning may be a staged process, the contractor will need to ensure health and safety is not compromised for the construction or commissioning stages.

Prior to handover, a final inspection of the completed work should include:

- health and safety reports
- commissioning data
- handover certification
- engineering sign-offs
- operational and maintenance manuals
- occupancy permits
- the risk registers
- the health and safety file
- identification of any remaining health and safety risks and their status.

Evaluation stage



At the conclusion of the construction project, a comprehensive review should be undertaken to evaluate how effectively health and safety was integrated into the key stages.

This review should involve all the relevant people who were involved in the various phases of the project. Information collected during each phase should be analysed to assess what worked and what didn't, and how health and safety can be integrated into future projects more effectively.

Actions to take during the evaluation stage

Develop a health and safety evaluation report

Evaluating the project involves a detailed review which should be documented in an evaluation report. The report should cover the project's health and safety outcomes as well as health and safety issues to be considered for future projects. The report should identify lessons learned for the benefit of future projects.

The end-users of the building (or other type of construction) must be informed of any remaining risks identified as part of this process.

The evaluation report should be stored in a way that it can be easily accessed in the future and circulated internally to project managers responsible for health and safety and capital works. Results of the review should be discussed at corporate health and safety/risk management committees.

Cross-agency sharing of lessons learned, and more generally of health and safety evaluation reports, is encouraged as it is an important means of raising the overall health and safety capability of government agencies.