

Contractor Health and Safety Pre-qualification Scheme

Frequently Asked Questions (FAQ's) for Councils

Introduction

The Health and Safety at Work Act 2015 states that “Persons Conducting a Business or Undertaking” (PCBU) ie Councils, are responsible for the health and safety of all workers. A worker includes those working for contractors and sub-contractors.

Currently, Waikato and Bay of Plenty Councils have a varied approach to the assessment and evaluation of health and safety plans associated with tender submissions, with some Councils not pre-qualifying at all. Councils’ experience with contractors involved in non-tendered work has revealed, on a number of occasions, no or inadequate health and safety plans are in place. Additionally, there are inadequate systems or processes in place to ensure that contractor’s insurances are monitored to ensure they are appropriate and current.

Members of an existing Waikato/Bay of Plenty Local Government Health and Safety forum formed a working party to develop and implement a contractor pre-qualification system across Councils who wish to participate. This project was then picked up under the Waikato Local Authority Shared Services (LASS) with full support from the board and sponsored by the LASS Chair.

The project team have identified a number of questions that may be asked by you and have provided responses to those for your information. Should you have any further questions, please email the Project Manager on healthandsafey@mpdc.govt.nz

CHANGE PROCESS FAQ's (All)

Q1	Why are we doing this?	A	<p><i>Currently Councils have a varied approach and level of assessment/evaluation of contractors' health and safety information. Introducing a contractor Prequalification system will ensure consistency across participating Councils.</i></p> <p><i>There is also a desire for more shared services across Councils to provide value for money for our ratepayers.</i></p>
Q2	What are we trying to achieve?	A	<p><i>The project aim is to provide formalised, consistent and effective shared service which benefits both Council and Contractors at a reasonable cost. It also provides Councils with an assurance that Contractors have Health and Safety systems in place.</i></p>
Q3	What will the benefits be?	A	<p><i>The saving of time for both Council and Contractors who currently do the pre-qualification process. Having a shared system that provides a consistent approach to assessing contractors Health and Safety systems.</i></p> <p><i>Benefit to Councils:</i></p> <ul style="list-style-type: none"><i>• reduced resource requirements</i><i>• reduced organisational risk</i><i>• heightened Health and Safety awareness and compliance within our communities</i><i>• abilities to influence businesses and our communities to improve their health and safety systems and practices</i><i>• regionally consistent and standardised approach.</i> <p><i>Benefits to the contractors:</i></p> <ul style="list-style-type: none"><i>• only making one application</i><i>• to be able to work for any of the participating Councils</i><i>• Education and improved practices</i>
Q4	How are people impacted? (technology, work processes, etc)	A	<p><i>Council staff - New or amended process for project/contract managers, needing to check contractor database to ensure a contractor/sub-contractor is pre-qualified. Initiating pre-qualification if not on contractor database.</i></p> <p><i>Contractors – less time applying for pre-qualification with multiple Councils, associated cost, requirement to pre-qualify where no requirement previously (with some Councils)</i></p>
Q5	What is the timeframe for the changes?	A	<p><i>The system will go live on 5 September 2016 and from that date all applications must be entered through the Waikato LASS Contractor Pre-qualification webpage via your Council website.</i></p>

Individual Councils are at different stages in currently pre-qualifying contractors. All Contractors currently working for MPDC are pre-qualified and nothing will change until their two-yearly review date.

Any sub-contractors who undertake work on MPDC sites are required to be pre-qualified under this scheme by 1 November 2016.

Q6	What obstacles and barriers do you foresee?	A	<p><i>Staff:</i></p> <ul style="list-style-type: none"><i>new system</i><i>lack of understanding</i><i>out of house process, not in house</i><i>loss of control</i><i>no immediate processing</i> <p><i>Contractors</i></p> <ul style="list-style-type: none"><i>cost</i><i>reviewed by someone else</i><i>not understanding the benefits</i>
Q7	Will we have to train people?	A	<p><i>Yes – all staff that engage new contractors</i></p>

COUNCIL FAQs

Q8	What will be different on the rollout date of 5 September 2016?	A	<p><i>5 September is the date the system will go live and be available for use by Councils and contractors.</i></p> <p><i>There will be minimal changes for MPDC staff other than:</i></p> <ul style="list-style-type: none"><i>the list of approved contractors will now be on the SHE website</i><i>Contractors will need to be referred to the SHE website to register – there will be no hard copy forms available.</i>
Q9	My contractor needs help to get their systems sorted. Who should they approach?	A	<p><i>Contractors who require professional advice on their Health and Safety systems should search for a fully qualified, competent business or professional. This information is contained on the HASANZ website ‘Choosing a Workplace Health and Safety Advisor’ http://www.hasanz.org.nz/ . There is also advice on the WorkSafe NZ website http://www.business.govt.nz/worksafe</i></p>
Q10	If a contractor is having problems with the website, and rings me, who should I direct them to?	A	<p><i>Refer them to the contact section of the website and a SHE representative will provide them with assistance.</i></p>

Q11	Do I still have to get a Site Specific Safety Plan (SSSP), Safety Management Plan (SMP) or Job Safety Analysis (JSA) from my contractor?	A	<p><i>Yes. A SSSP or JSA (or similar) is still required specific to the job/activity.</i></p> <p><i>The pre-qualification process ensures that your contractor has robust Health and Safety Management System in place for their business but you must still monitor their activities on-site.</i></p>
Q12	Do sub-contractors also need to be pre-qualified?	A	<p><i>Yes – by 1 November 2016.</i></p> <p><i>NOTE: Some contractors will also be sub-contractors.</i></p>
Q13	If they are pre-qualified do staff still need to audit them onsite?	A	<i>Yes – you must monitor your contractors relevant to the level of risk for the specific site and tasks being undertaken.</i>
Q14	Is it compulsory to use a contractor from the list?	A	<i>Yes - If a contractor is not on the list, then they should be asked to pre-qualify before work commences.</i>
Q15	What if I need to use a Contractor urgently and they're not on the list?	A	<p><i>If there is no one on the database that can undertake the works, send the URL (website link) to the contractor and inform your Council's Health and Safety Team that you need an urgent pre-qualification.</i></p> <p><i>Emergency works may proceed without being pre-qualified, ensuring a Job Safety Analysis (JSA) (or similar) is in place prior to works commencing.</i></p>
Q16	How long will it take to assess an application once it's submitted?	A	<i>There are no firm response times with the provider. It is dependent on the backlog of existing applicants. It is understood that the estimated timeframe is one week, but can be prioritised if urgent.</i>
Q17	Where will the list of pre-qualified contractors be?	A	<i>There will be a URL link on your Council website directing you to the SHE website. There will also be a link to the website within each Council's intranet site.</i>
Q18	If a contractor I have previously used is not on the list, does that mean we cannot use them?	A	<i>Yes - Contractors will need to be pre-qualified before commencing work. A grace period will be provided for the initial intake.</i>
Q19	Do we need to pre-qualify all contractors, including those working in an office?	A	<i>Priority is for medium to high risk physical works contractors to be pre-qualified. Lower risk contractors will be included at the discretion of each Council.</i>
Q20	What if there is no one on the list that can do the task we want?	A	<i>If you have a preferred provider, send them the URL (website link) to apply.</i>
Q21	What if my contractors' pre-qualification has or is about to expire?	A	<i>Expiration dates have been extended for the transitional stage. Reminders will be sent directly to the contractor once they are on the framework.</i>

Q22	Why is it compulsory for contractors' insurances to be managed through the new system? Surely these are contracting processes, not Health and Safety processes?	A	<i>It was identified that expired insurances was a risk to Councils and is currently not being well managed. Therefore a tool to manage this was added to the pre-qualification system. Contractors will identify what insurances are required at the time of pre-qualification and will be notified when they are due for renewal.</i>
Q23	With regard to contractors that are covered by other organisations' regulations (such as Civil Aviation Authority (CAA) and Maritime Safety Association (MSA), will they also need to be pre-qualified in this system?	A	<i>Yes – to confirm robust processes.</i>
Q24	If we have a contractor that only works for our Council, do we need to tell them to pre-qualify through the new online system?	A	<i>Yes – this provides the Council with assurances the contractor has robust systems and current insurances in place. It also makes the contractor visible to other Councils/contractors.</i>
Q25	Will contractors get a certificate of acceptance or similar once they have been successfully assessed to prove they are on the list?	A	<i>No – they will get an acknowledgement of successful pre-qualification through email.</i>
Q26	How is all this going to be communicated to contractors?	A	<i>Each Council will email the preferred contractors that they have customarily engaged. A Communications Plan has been developed and approved by the project sponsor.</i>
Q27	Will our Contract/Project Managers be able to access and review all their Contractors' Health and Safety documentation which has been assessed by SHE? They require this information to effectively monitor contractors and to satisfy themselves contractors have been assessed for the work they are being employed to undertake.	A	<i>No – monitoring of contractor performance is to be carried out against the site specific documentation and not against the management system that is provided during the pre-qualification process.</i>
Q28	What is this going to cost the contractors? What do we say to them when they call to complain that it used to be free?	A	<p><i>Pre-qualification- bi annually</i></p> <ul style="list-style-type: none"> • < 5 employees \$180.00 • 5 – 24 employees \$400.00 • 25 or more \$900.00 <p><i>Insurances - annually</i></p> <ul style="list-style-type: none"> • \$25.00 per insurance type per year <p><i>Complaints should be referred to the Project Manager by email on healthandsafety@mpdc.govt.nz</i></p>

Q29 How will this change our in-house processes? **A** *There will be minimal changes for MPDC staff other than:*

- *the list of approved contractors will now be on the SHE website*
- *Contractors will need to be referred to the SHE website to register – there will be no hard copy forms available.*

Some amendments to Promapp process or the Contract Procedures Manual maybe required and this will be managed once the system is live.
