

MANAGING CONTRACTORS

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1. Purpose & Scope

We are committed to ensuring all our staff members, including contractors, sub-contractors, sole-traders and consultants (referred to as Persons Conducting a Business or Undertaking, or PCBU's) are informed of the risks associated with working at Wintec operated or controlled sites. This policy ensures that our communication, engagement and hiring processes for working with PCBU's are clear and transparent.

This policy applies to all contractors, sub-contractors and consultants who operate on Wintec operated or controlled sites, typically referred throughout this policy as contractors. It also applies to all staff who work with or are responsible for hiring and managing contractors.

2. Policy Statement

The [Health & Safety at Work Act 2015](#) requires Person's in Charge of the Business or Undertaking (PCBU) to work collectively to support a harm free workplace. Contractors, sub-contractors and consultants are by legal definition PCBU's and have a legal responsibility to ensure they are aware of and comply with our policies and procedures.

It is our policy that all workers are able to demonstrably comply with all New Zealand Safety and Wellbeing laws including relevant Acts and Regulations; all relevant Codes of Practice; Safety and Wellbeing good practice and Wintec's Safety and Wellbeing systems. Demonstrable compliance must include but is not limited to:

- Contractors, sub-contractors, consultants, visitors and volunteers are approved by the Infrastructure & Assets team prior to working on Wintec operated and controlled sites.
- All employees, agents or sub-contractors of Safety and Wellbeing approved contractors who are to work on Wintec operated or controlled sites completing the requirements of Wintec's Contractor Safety and Wellbeing Induction prior to commencing work for Wintec.
- Employees, agents or sub-contractors of Safety and Wellbeing approved contractors, sub-contractors, consultants, and sole traders must hold valid Wintec Identification Cards; the presentation of which may be required to Wintec staff.
- All workers using appropriate Personal Protective Equipment (PPE).
- Completion of all Safety and Wellbeing documentation required for the work being undertaken, which may include Facilities management forms, Site-Specific Safety Plans (SSSPs), Job Safety Analysis (JSAs), risk assessments, permits to work, and toolbox/safety meeting minutes; and this information being provided to Wintec's Safety & Wellbeing Manager, and/or Wintec's Infrastructure & Assets team as requested, in a timely manner.

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This policy should be read in conjunction with other Wintec policies, namely:

- Safety & Wellbeing Policy
- Contract Management Policy
- Health & Safety Risk Management Policy (TBD)
- Coordinated Incident Management Policy
- Employee Health Monitoring Policy
- Drug & Alcohol Policy
- Anti-bullying & Harassment Policy
- Parking Management Policy

And dependent on the reasons for using a contractor, the following policies should also be read:

- Hazardous Substance Management Policy
- Managing Electrical Hazards Policy
- Working Safely at Heights Policy
- Asbestos Management Policy

3. Key Roles & Expectations

The following roles have key responsibilities:

Contractors

- Must provide the relevant health and safety information (including relevant certification) prior to work commencing
- must have attended and completed Wintec's Contractor Safety and Wellbeing Induction
- must ensure they are fit for work, are suitably qualified, competent and have completed a JSA prior to starting work
- all risks captured in the JSA have suitable agreed controls in place and are applied in the worksite
- must participate in Safety and Wellbeing practices which support Wintec's goal of zero harm and comply to Safety and Wellbeing policies
- ensure their employees, agents and subcontractors are trained or adequately supervised for the work they are intending to carry out
- ensure their employees, agents and subcontractors have the appropriate PPE and that it is maintained in a serviceable condition and certified in accordance with applicable standards
- maintain equipment in a serviceable condition and is certified safe as required e.g. electrical equipment, equipment for working at heights
- monitor the behaviour and performance of their employees, agents and sub-contractors to ensure that it is acceptable and in accordance with contract requirements
- investigate and identify root causes and solutions in order to effectively manage any hazards identified as a result of any investigation and provide these to Wintec

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- report any identified hazards or incidents that occur whilst completing the assigned work through Wintec Safety and Wellbeing reporting system Vault.
- Principal Hiring Manager**
- Wintec staff member responsible for engaging the contractor to complete work
 - responsible for providing the contractor with relevant health and safety information prior to the contractor starting work
 - monitoring the health and safety of the contractor, their health and safety practices and compliance with our health and safety policies
- Note:** While the principal hiring manager will most likely be a Wintec staff member, for some larger projects an external project manager may be appointed. However, there will always be a Wintec staff member assigned to these projects who will perform these tasks.
- All Staff**
- Staff must ensure that no action or inaction from them creates an environment of risk acceptance
 - adhere to this and all Wintec's Health & Safety policies.
- Managers**
- Responsible for ensuring their staff are trained and adhere to the requirements of this policy
 - provide Wintec Safety and Wellbeing team with the required documentation that provides evidence of compliance to the policy.
- Safety & Wellbeing Team**
- Work with managers and staff to ensure PCBU health, safety and wellbeing performance expectations are widely known and communicated effectively
 - measure and monitor contractor compliance with this policy through internal auditing and compliance checks.
- Safety & Wellbeing Manager**
- Formally notifies WorkSafe of particularly hazardous work (prior to the work commencing)
 - monitor and review site safety plans and providing input and approval for Site Specific Safety Plans for major capital works
 - review the professional services consultant's/main contractors' Safety and Wellbeing plans prior to them commencing work
 - ensure that [WorkSafe](#) is notified of all fatalities or serious harm injuries
 - review professional services consultant's/main contractor's investigation reports into any serious harm accidents or incidents.
- Contracts Office**
- Work with the Safety and Wellbeing Manager to ensure Safety and Wellbeing aspects are appropriately documented in contracts
 - store all signed contracts in their repository.
- Strategic Assets Manager**
- Support the wider Wintec team to ensure the requirements within this policy are effectively applied in every circumstance
 - review the professional services consultant's/main contractor's Safety

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and Wellbeing capability at tender stage

- notify all relevant stakeholders including, consultants, project engineers and/or main contractors of known hazards and other risks associated with the works during the tender/contract development process.
- lead reviews to monitor contractor performance during the contract and post contract
- review professional services consultant's/main contractor's process for engaging of subcontractors initially, then every two years
- ensure any notifiable work has been notified to WorkSafe
- responsible for the day-to-day management and implementation of this policy.

**Department Head,
HOS/Centre
Director**

- Responsible for ensuring that Wintec meets its statutory and accountability obligations, including compliance with the Health & Safety at Work Act 2015, WorkSafe NZ Good Practice Guidelines, Managing Contractors Policy.

**Executive Director,
Infrastructure &
Assets**

- Holds overall responsibility for the implementation of this policy.

4. Measuring Success

The successful practical application of policies and procedures are critical to Wintec's continuous improvement. This policy must be applied consistently and provide benefit to both Wintec, from a Safety and Wellbeing risk governance perspective and provide benefit to the contractors in setting obtainable contractor performance criteria. The goal is to ensure all contractors understand and apply the requirements of this policy at all times.

The measurements of successfully managing contractors at Wintec are:

- Contractors actively provide feedback to the Hiring Manager on health and safety issues.
- Hiring Manager's use Vault to record any health and safety issues that occur.
- Wintec staff and contractors are working safely and seamlessly together.
- JSA creation is completed with input from both the contractors and Wintec staff.
- Contractor incident statistics (as recorded in Vault) are minimised or eliminated, and are not repeated.

5. Supporting Information

5.1. Notification of Particularly Hazardous Work

The [Health and Safety in Employment Regulations 1995](#) require employers as well as the person who controls a place of work to provide at least **24 hours' notice** to WorkSafe of particularly hazardous work. This is so WorkSafe can organise a workplace visit if they deem it necessary, prior to work commencing.

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Examples of particularly hazardous work include (but are not limited to):

- Logging or tree felling undertaken for commercial purposes
- construction work with a risk of falling 5 Metres or more
- erecting or dismantling scaffolding with a risk falling 5 metres or more
- use of a lifting appliance where the appliance must lift a mass of 500 kilograms or more a vertical distance of 5 metres or more
- work in any pit, shaft, trench, or other excavation in which any person is required to work in a space more than 1.5 metres deep and having a depth greater than the horizontal width at the top
- work in any drive, excavation, or heading in which any person is required to work with a ground cover overhead

In all instances where particularly hazardous work is to be undertaken, you must notify the Safety & Wellbeing Manager before commencing. The Safety & Wellbeing Manager will [notify WorkSafe](#). If you are unsure whether the work meets the criteria for particularly hazardous, consult with the Safety & Wellbeing Manager. For more information on Particularly Hazardous Works, refer to *Section 9. Key Definitions & Glossary*.

5.2. Process Exemptions

Emergency work:

We acknowledge that some emergency work may require contractors that have not yet been approved. Emergency work might include an immediate or imminent and serious risk to people or property, such as fire, flood, electricity failure and earthquake. In such cases, contractors may work on campus.

Non-emergency work:

In some cases, not yet approved contractors, may be exempted from the Safety and Wellbeing approval process if the following requirements are met prior to working on campus:

1. Written permission is obtained from one of the following (or their delegates):
 - a) Executive Director Infrastructure and Assets; or
 - b) Strategic Assets Manager; or
 - c) Safety and Wellbeing Manager; and
2. The person giving permission is provided with:
 - a) Details of the work to be done, including a risk assessment, SSSP, JSA or similar.
 - b) Full names and contact details of the contractor and its workers for the job; and
3. The work is for short duration (less than three days).
4. In some instances, the following might also be required:
 - a) A written undertaking that the work will be supervised either by Infrastructure & Assets staff, the principal hiring manager, or by an approved contractor managing the site..

5.3. Contractor Suitability

The Health and Safety at Work Act 2015 requires organisations to have a robust process in place for the selection and assessment of contractors. These processes ensure that we can verify the suitability and capability of contractors prior to the contractor being awarded the contract.

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This process also allows us to develop long lasting relationships with trusted well performed contractors and creates a minimum H&S performance benchmark amongst contractors. Refer to *6.1 Contractor Pre-Qualification and Assessment* for the procedure.

5.4. Contract award process

The contract award follows on from the pre-qualification and assessment process. The decision to award the contract must include validation of the decision in writing.

Once the contract has been awarded the contractor and designated Wintec staff member in charge of the work must complete a site visit together and prepare a Site-Specific Safety Plan. Any high risk or notifiable work undertaken as part of a contract requires a copy of the plan to be sent to the Wintec Safety & Wellbeing Manager for review and sign off.

5.5. Induction process to Wintec sites

The induction process must identify and make the contractor aware of all significant risks that the contractor may be exposed to while working at Wintec. The Wintec [Contractor Health & Safety and General Induction Booklet](#) is available to all contractors and must be signed and returned to Wintec.

5.6. Monitoring of contractor performance

Performance monitoring is crucial to ensure that the contractor's delivery is consistently aligned to Wintec's expectations. Monitoring frequency shall be agreed between the contractor and the contract holder, taking into account the length of time of the contract, the contract risk profile and the agreed performance criteria.

The agreed performance criteria shall include the following information:

- Evidence of a site walkover between the contractor and contract holder
- Evidence of active participation in the creation of the JSA between the work group and the contract holder
- Evidence of regular updating of the JSA to reflect changes in the work environment, changes in risk profile, changes in personnel & changes in work scope.
- Evidence of compliance at the worksite to the various Wintec Safety and Wellbeing policies and procedures which are relevant to the work being completed.
- The above evidence shall be documented by the project manager, findings discussed with the contractor and placed into the contractors file within Vault.

5.7. Post contract evaluation process

The post contract evaluation shall be documented and involve active participation from both the contractor's PCBU and the Wintec contract holder. The topics to be covered in the post contract evaluation process must involve the following information:

- Scope of the job that was completed
- Review of the performance monitoring criteria for the job
- Opportunity for both the contractor PCBU and the contract holder to provide feedback on the following:
 - Effectiveness of communication between contractor staff and Wintec contract holder
 - Quality of contractor induction process

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- Quality of written and verbal instruction between PCBU representatives
- Fatigue management review
- Control and management of critical risk work (review if work includes critical risks).

5.8. PCBU Operator Practices

All PCBU's are expected to be aware of and adhere to the following:

Management of hazardous substances and dangerous materials

The supply or use of any substance or material which may be detrimental to the health or safety of any persons undertaking or affected by the works will be in accordance with the approved code of practice for the management of substances hazardous to health in the place of work.

Storage, handling, and disposal of hazardous substances and dangerous goods shall comply with all statutory regulations.

All personnel who, through the course of performing the duties of their job, may come into contact with hazardous and infectious substances including waste water must have had the appropriate inoculations (E.g. Tetanus and Hepatitis A).

Refer to our policy on Hazardous Substance Management (currently in development) for more information.

Electrical tagging and testing

Any person bringing a portable item of electrical equipment or RCD onto any Wintec property or a Wintec controlled site must, before the item is used, provide a record of relevant testing data and ensure the tag bears the name of the competent person who conducted the test along with the test or re-test date. If the tester is a licensed electrician, the tester's licence number must also be included on the tag. Tagging and testing will take part at no more than three monthly intervals for electrical equipment used for construction activities.

Refer to our policy on [Managing Electrical Hazards](#) for more information.

Drug and alcohol policy

We have a strict zero tolerance for drug and alcohol consumption at work, or when the effects of such use could impact on work practices and the safety of other staff members, students or the public. Our drug and alcohol policy applies to all contractors, subcontractors and consultants.

Refer to our [Drug and Alcohol policy](#) for more information.

Fatigue management

Where required, contractors shall provide a fatigue risk assessment for their operatives, especially where travelling extended distances to work or working extended hours or engaged in shift work.

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6. Procedures

The following procedures compliment the Managing Contractors policy. Typically, these will be undertaken by the Principal Hiring Manager. These procedures shall be used in conjunction with this policy to ensure strict compliance under all circumstances. The systematic process to be taken by Wintec in the management of the safety and wellbeing of contractors is summarised in the following seven stage process:



6.1. Scoping the Work:

- I. Prior to engaging a contractor, the scope of the work must be defined, and potential health and safety risks identified. Specifically:
 - a) What risks to health and safety exist?
 - b) Can they be eliminated or minimised (through substitution, isolation or other control measures)?
 - c) What PPE would be required?
- II. Check whether an existing Safety Data Sheet (SDS) exists related to any of the identified risks. If one does not exist, it must be created before any work is begun. The SDS can be written in consultation with the contractor if they have the relevant skill-set and experience, alternatively speak with the Infrastructure & Assets Team. Refer to the Hazardous Substance Management Policy (TBD) for more information.

6.2. Contractor pre-qualification and assessment

- III. The contractor pre-qualification and assessment process must include the following key steps:
 - a) Contractors pre-qualification must be risk-based and evaluated against competency, previous Safety and Wellbeing performance, ability to complete the work and cost.
 - b) The assessment must request specific examples of competency assessments, training records, previous Safety and Wellbeing incidents for the last two-year period, learnings from other work where Safety and Wellbeing improvements have been implemented, and the suitability of a contractor's existing PPE (if supplied by the contractor, or of Wintec's own PPE if supplied by us).
 - c) Once the assessment has been completed it must be sent through to the Safety and Wellbeing Manager for approval to ensure compliance with Wintec procedures

6.3. Contract award process

- I. The contract award process must include evidence of sign off by the contractor to Wintec's Safety and Wellbeing procedures.

Please note: A site-specific Safety and Wellbeing plan must be completed by the contractor with support from the Wintec Infrastructure & Assets team to ensure PCBU engagement has been met.

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6.4. Induction into Wintec sites

- I. An onsite induction between the contractor and the Wintec person in charge of the work (typically the Principle Hiring Manager) must take place and include the following elements:
 - a) Identification of key contacts in contractor organisation and Wintec
 - b) Safety and Wellbeing incident reporting process
 - c) Emergency management and response plan

Note: if the relevant SDS do not exist or is out of date, then work cannot progress past this point until an SDS has been created that covers the hazardous substances stored or used on a Wintec campus whether provided by Wintec or the contractor, regardless of quantity. Refer to the Hazardous Substance Management Policy (TBD) for more information.

6.5. Monitoring of contractor performance

- I. The [Health and Safety at Work Act 2015](#) requires PCBU's to monitor performance of their contractors. To achieve this all staff using contractors must complete regular audits on contractors to ensure we are supporting consistent contractors' performance.
- II. The contractor shall be supportive in the process and the audit should be aligned to the contractors Safety and Wellbeing Management plan where possible. Audit outcomes should be discussed with the contractor on the immediate completion of the audit and the audit should be placed into the contractors file within Vault. These will be audited by the Wintec Health Safety & Wellness team on an agreed frequency.

6.6. Post contract evaluation process

- I. Lessons learnt are a key component of a high performing organisation which learns from opportunities raised during everyday work practices. To ensure Wintec add value to the contractor relationship as a PCBU we must complete post contract reviews with our contractors.

This process is a formal meeting held between the contractor PCBU and Wintec and follows a simple agenda:

- a) Persons in attendance
- b) Review of Wintec audits and overall Safety and Wellbeing performance
- c) Feedback from the contractor
- d) Agreement of areas of improvement

6.7. Operating practices

Hire equipment

On delivery and prior to the use of the equipment/plant it will be inspected by the hiring contractor (as applicable) to ensure the equipment/plant is compliant with the applicable standard and is fit for purpose.

Duties of a supplier who hires or leases equipment/plant:

Must ensure the plant is inspected and maintained to ensure risks arising from the use of the plant are eliminated, or if it is not practicable to eliminate the risk, reduced so far as is practicable

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Must ensure inspections and maintenance carried out on the plant are recorded and the records are retained while the supplier has management or control of the plant

Must provide to each person to whom the supplier hires or leases the plant any information on the safe use of the plant.

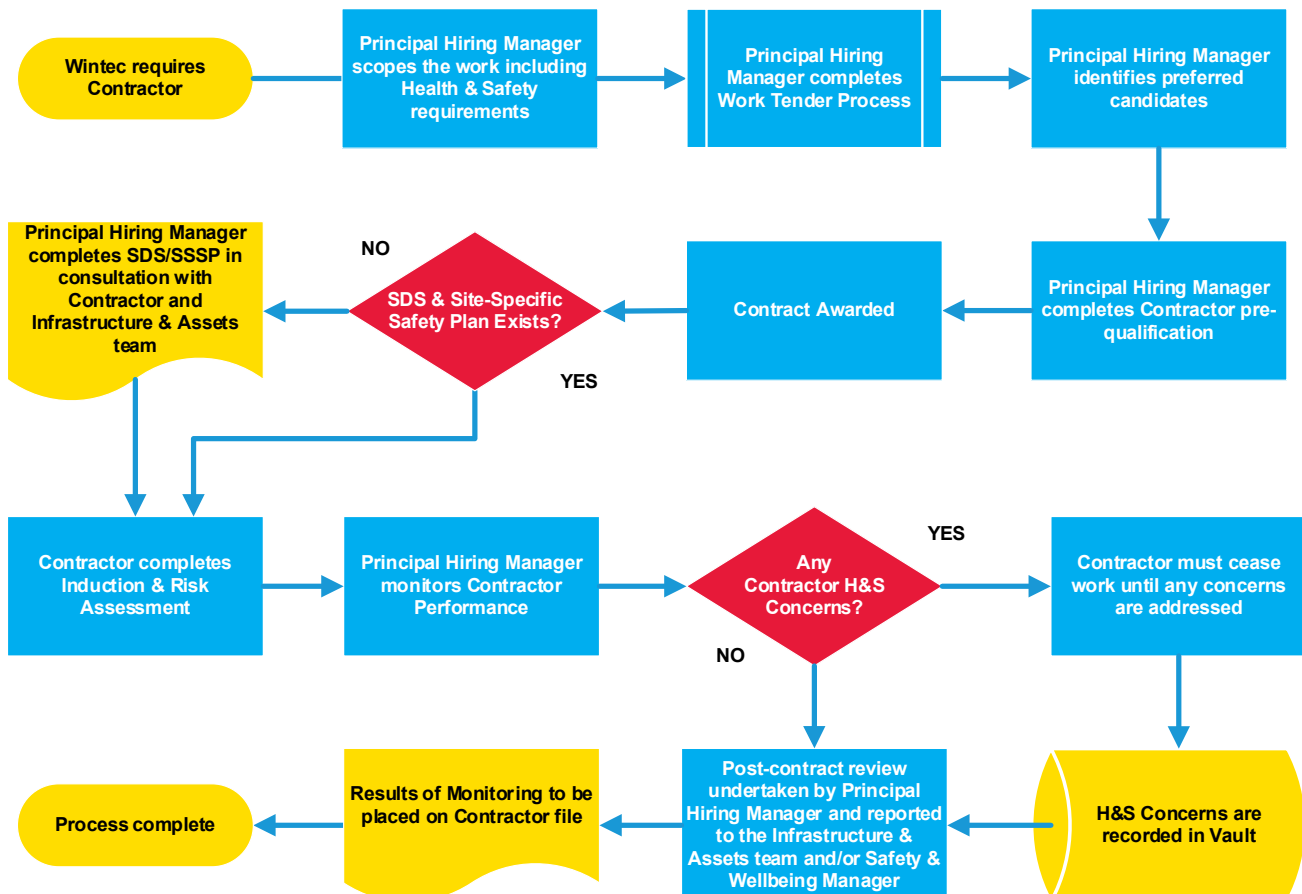
Duties of site personnel receiving the equipment/plant:

Inspect the equipment/plant with the supplier; fully understand any risks associated with the plant:

- Check plant operation
- Inspect fall restraints and anchor points (if applicable)
- View safety documents, equipment/plant manuals, delivery documents
- Read the operating instructions for the use of the equipment/plant
- Notify the relevant supervisor if any safety concerns exist and do not use until rectified.
- Hired plant must be included on a plant register for weekly formal inspections and must be inspected daily prior to use.

7. Processes

7.1. Contractor Health & Safety Management



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8. Related Legislation, Regulations, Policies, Guidelines, and Forms

Familiarity with relevant legislation is critical to Wintec’s continued operation and reduces our risk of legislative non-compliance. List all relevant Legislation, Statutes, and Codes of Practice that relate to this Policy, below:

Legislation/Regulations	Policies	Guidelines/Forms
Safety and Wellbeing at Work Act 2015 Building Act 2004 Electricity (Safety) Regulations 2010 Health and Safety at Work (Major Hazard Facilities) Regulations 2016 Health and Safety at Work (Hazardous Substances) Regulations 2017 Health and Safety at Work (General Risk and Workplace Management) Regulations 2016 Health and Safety at Work (Asbestos) Regulations 2016	Safety & Wellbeing Policy Contract Management Policy Health & Safety Risk Management Policy (TBC) Coordinated Incident Management Policy Employee Health Monitoring Policy Drug & Alcohol Policy Anti-bullying & Harassment Policy Parking Management Policy Hazardous Substance Management Policy Managing Electrical Hazards Policy Working Safely at Heights Policy Asbestos Management Policy	Site-Specific Safety Plan template JSA template Contract template Contractor Pre-Qualification & Assessment form Wintec Contractor Health & Safety and General Induction Booklet
Copies of New Zealand Legislation can be found on the New Zealand Legislation Website . You can view Wintec’s Policies and Procedures on the Policy Web . This is not an exhaustive list of policies, procedures and legislation.		

9. Key Definitions & Glossary

- Accident** An event that (a) causes any person to be harmed; or (b) in different circumstances, might have caused any person to be harmed
- Contractor** A person engaged by any person (other than as an employee) to do any work for gain or reward.
- JSA** A job safety analysis is a procedure which helps integrate accepted safety and wellbeing principles and practices into a task or job operation. In a JSA, each basic step of the job is to identify potential hazards and to recommend the safest way to do the job.

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Particularly Hazardous Work

The [Health and Safety in Employment Regulations 1995](#) require Wintec to notify WorkSafe at least 24 hours' notice of our intention to undertake particularly hazardous work, as defined below:

- Construction work with a risk of falling 5 metres or more
Excludes:
 - work on overhead telecommunications lines and overhead electric power lines
 - work carried out from ladder only
 - maintenance and repair work of a minor or routine nature.
- Erecting or dismantling scaffolding with a risk of falling 5 metres or more
- Logging or tree felling undertaken for commercial purposes
- Use of a lifting appliance where the appliance has to lift a mass of 500 kilogrammes or more a vertical distance of 5 metres or more (see exclusions below)
Excludes:
 - work using an excavator
 - work using a forklift
 - work using a self-propelled mobile crane
- Work in any drive, excavation, or heading in which any person is required to work with a ground cover overhead
- Work in any excavation in which any face has a vertical height of more than 5 metres and an average slope steeper than a ratio of 1 horizontal to 2 vertical
- Work in any pit, shaft, trench, or other excavation in which any person is required to work in a space more than 1.5 metres deep and having a depth greater than the horizontal width at the top
- Work involving the use of explosives, or storage of explosives for use at the worksite
- Work in which a person breathes compressed air, or a respiratory medium other than air (including diving).

If the work to be completed meets the definition for particularly hazardous work then the Safety & Wellbeing Manager must be advised, so that Wintec can notify WorkSafe, at least 24 hours prior to commencing the work.

Works that do not require WorkSafe to be notified include:

- Any construction work or tree-felling required to deal with an emergency
- damage caused by any earthquake, explosion, fire, flood, lightning, rain, slip, storm, or washout; or
- the blockage or breakdown of any drain or sewer; or
- the blockage or breakdown of any distribution system or network for electricity, gas, telecommunications, or water.

Note: Wintec staff members are expected to comply with our Coordinated Incident Management Policy and other applicable policies in the event of an incident or emergency.

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PCBU A PCBU is a 'person conducting a business or undertaking' is a broad concept as defined by the [Safety and Wellbeing at Work Act 2015](#). A PCBU may be an individual person (a sole trader) or an organisation, however in most cases a PCBU will be an organisation (a business entity such as a company). A PCBU does not include a person to the extent that the person is employed or engaged solely as a worker in, or as an officer of, the business or undertaking.

PPE Personal Protective Equipment.

Safe Systems of Work The design of work in which the Safety and Wellbeing risks to employees have been controlled. This can include the process, pace and flow of the work, the work practices used, the design and use of plant and equipment, and the effect of environmental factors.

Site-Specific Safety Plan The SSSP is an agreement between businesses working on a specific site that determines how Safety and Wellbeing will be managed. It ensures that relevant site information is regularly updated, and safety is monitored.

10. Records Management

In with the Public Records Act 2005, Wintec is required to provide an Information and Records Management programme to ensure that authentic, reliable and usable records are created, captured and managed to a standard of best practice, and to meet business and legislative requirements. All records relevant to a specific policy need to be listed in every policy in the following format:

Record	Minimum retention period	Disposal Action	GDA Reference #
This Policy	7 years after date of last action	Destroy	5.1.2
Site-Specific Safety Plan	7 years after date of last action	Destroy	10.6.2
Job Safety Analysis Sheet	7 years after date of last action	Destroy	10.6.2
Contracts	7 years after date of last action	Destroy	9.1.1
Contractor Pre-Qualification & Assessment form	7 years after date of last action	Destroy	9.1.1
Vault Contractor Records	7 years after date of last action	Destroy	10.6.2

11. Version History

Version	Date Approved	Details
1	July 1997	First published as <i>Contractors and Subcontractors Occupational Safety and Health Policy (EX A – 7/97)</i> .
2	April 2011	Name changed to <i>External Contractor Health and Safety Management</i> . New format applied.
3	October 2019	Name changed to <i>Managing Contractors (OP-19/06)</i> . Updated template, key roles and expectations.