

COMPLIANCE PRIORITIES OUTCOMES

Contractor management in metalliferous mines and Tier-1 quarries

Contractor management

In modern mining workplaces there may be multiple duty holders influencing how work is carried out. For example, there will be the operator of the mine, single or multiple contractors supplying equipment, carrying out work, repairing equipment and undertaking other activities, as well as some suppliers and contractors who are infrequently onsite.

The work, health and safety (WHS) laws require duty holders, with shared responsibilities, to work together to make sure workers do what is required to maintain a safe workplace. This requires consultation, cooperation, and coordination between all duty holders.

The Work Health and Safety (Mines and Petroleum Sites) Regulation 2014 builds on this requirement and makes specific provision for the arrangements between an operator of a mine and other persons conducting businesses or undertakings, including contractors.

Through this priority project, data was gathered to determine the industry's understanding of working with contract partners and their legal responsibilities to maintain a safe workplace. This included a particular focus on how the mine and its contractors manage safety with a contractor safety management plan or the mine's safety management system, as required under clause 22 of the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014.

The project also examined how safety critical information was the communicated and disseminated to contractors, including labour hire contractors, project contractors and maintenance contractors. Furthermore, inspections were undertaken to confirm how the mine operator ensures plant, equipment and substances are safe for use, how competencies are checked, and how supervision is carried out.

What we did

Thirty-eight operating sites were assessed between December 2020 and June 2021.

Areas assessed at each mine were:

- development and implementation of safe systems of work
- determining adequacy of competency of workers

- management of plant, equipment, materials, and substances
- consultation, information, training, and instruction
- risk management processes used
- supervision and monitoring.

What we found

Some of the key findings that resulted from the program plan included:

- contractor management plans were not updated to comply with current legislation
- mines could not provide written notice of acceptance of safety management systems regarding contractors
- contractors, as persons who have regard for hazards, not being included in site risk assessments
- varying levels of supervision of contractors. This ranged from self-managed to being directly managed by mine site supervisors
- noncompliance to site procedures associated with managing contractors during major shutdowns
- contractors not being involved in daily start of shift information meetings and toolbox talks
- contractors' equipment not being fit for purpose for intended operational tasks
- mines not able to demonstrate evidence of contractor competencies
- contractors non-compliant with permit to work procedures during critical tasks.

Outcomes

The assessments resulted in the following notices being issued:

- two Section 195 prohibition notices
- twenty-seven Section 191 improvement notices
- twenty-nine Section 23 notices of concern.

Next steps

We will continue to assess contractor management in metalliferous mines and large quarries through planned inspections and targeted interventions. Results of these inspections will be monitored to determine whether a more detailed assessment of industry practice is required, and whether industry assistance, through some form of education, is needed.

Mine operators are also encouraged to review the outcomes of this report and determine potential areas of improvement that may be applicable to their own operations.

Recommendations

To address the continued compliance of contractor management, industry should:

- routinely review any changes to the contractor safety management plan, policies and procedures and provide the contractor with written notice that the plan remains consistent with the mine safety management system
- ensure that the contractor has been made aware of any changes made to the mine safety management system and has provided the mine operator with written notice that it remains consistent with the contractor's arrangement for managing risks to health and safety
- record and update contractor worker competencies
- ensure contractor plant and equipment remains fit for purpose and only used for its intended purpose when on the mine site
- always include contractors in the mine consultation, information, training, and instruction processes
- use the hierarchy of controls to ensure hazard management is based on the highest level of risk control
- ensure that contractors are supervised to ensure they work to accepted standards when working on the mine site.

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