

# Contractor Handbook

## *Table of Contents*

|  |    |
|--|----|
| <i>Table of Contents</i> .....                                     | 1  |
| Welcome.....   | 2  |
| Our Organisation .....   | 2  |
| Vision, Purpose and Values .....                                   | 2  |
| Our Quality Policy.....  | 3  |
| Your Obligations .....   | 4  |
| Licences and Insurance .....                                       | 4  |
| Police Checks .....  | 4  |
| Contractor Statement and Checklist.....                            | 5  |
| Communication .....  | 6  |
| Occupational Health and Safety Policy .....                        | 6  |
| Accidents / Incidents at Work .....                                | 6  |
| Risk Assessment .....  | 7  |
| Risk Control .....   | 7  |
| General SummitCare Policies and Procedures.....                    | 9  |
| Improvement Logs .....   | 9  |
| Maintenance Requests .....   | 9  |
| Contractor Comments and Complaints .....                           | 9  |
| Smoking .....  | 10 |
| Sexual Harassment Policy.....                                      | 12 |
| Privacy and Confidentiality .....                                  | 12 |
| Security .....   | 12 |
| Fire and Other Emergencies.....                                    | 12 |
| Contractor Non Conformance - Corrective and Preventive Action..... | 13 |
| CONTRACTOR CHECKLIST .....   | 14 |

# Contractor Handbook

## Welcome

SummitCare is committed to ensuring the safety of everyone in our workplaces, including suppliers, contractors, their employees and subcontractors, SummitCare employees, our residents, families and visitors.

The provision of this booklet does not waive any statutory obligations that you may have but rather it is a tool or resource in meeting the obligations and ensuring the highest workplace safety for all who undertake work at our workplaces. It remains the responsibility of all to abide by the relevant OHS legislation.

It is also intended that this document be used in conjunction with documents which are part of the occupational health and safety (OHS) system of the contractor or supplier organisations; for example, the OHS system manuals, policies and procedures, safe work method statements and site plans.

If you have further questions, please feel free to approach the Operations Manager or Manager Accommodation Services at the Centre for additional information.

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## Our Organisation

SummitCare is a private owned organisation that has been providing quality residential aged care within the Sydney metropolitan area for over 40 years. We have built an enviable reputation as a well managed organisation with the capacity to operate and maintain quality centres. Regarded as a leader in the industry, SummitCare is proud of its services to the aged and its achievements to date.

SummitCare currently operates nine Aged Care Centres located both in the eastern and western areas of Sydney along with a Centre in Wallsend, Newcastle. All of the centres are able to offer a choice of single or share accommodation. Other features include first class meals, recreational programs, hairdressing salons, activity cottages, and landscaped gardens.

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## Vision, Purpose and Values

### *Our Vision*

Working together to provide peace of mind.

### *Our Purpose*

To provide, all day every day, exceptional and sensitive care and service to people requiring residential aged care.

### *We Value*

- Respectful relationships
- Honesty
- Ethical decision making
- Positive participation in team work
- Effective leadership

# Contractor Handbook

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## Our Quality Policy

SummitCare accepts responsibility for the provision of quality Aged Care services. Quality services are achieved through commitment and involvement of all stakeholders to the process of continuous improvement and innovation.

SummitCare will achieve this through:

- Working in partnership with people to consistently understand and exceed their needs and expectations.
- Meet their needs and expectations.
- The monitoring of employee performance, and the encouragement and empowerment all SummitCare employees to participate in quality management activities through teamwork and cross-functional cooperation.
- Adoption of a formal committee structure that includes representatives of all stakeholders.
- Establishment of policy and work practices that reflect legislation and best practice.
- Welcome the challenge of change by embracing the culture of a learning organisation.
- Apply vigorous innovation and continuous improvement to our work practices.
- A commitment to ongoing education and staff development.
- Sound business practice and corporate governance strategies.
- The establishment of a comprehensive Quality Management System for SummitCare.

# Contractor Handbook

## Your Obligations

It is the expectation of SummitCare that in performing duties you, your employees and sub-contractors will be familiar with and make use of all available information on any safety, occupational health or environmental requirements relevant to the nature of work being performed.

We expect you to have a thorough understanding of all relevant legislation, regulations, codes of practice, Australian Standards and relevant aged care standards and for this understanding to be demonstrated in workplace practices and operating procedures. You shall take all necessary precautions in connection with the work to ensure the health and safety of your own and SummitCare employees, sub-contractors, residents, families and visitors.

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## Licences and Insurance

You, your employees and sub-contractors must be suitably qualified and licensed for the tasks being performed. All contractors must have public liability insurance. Contractors will also be required to confirm their qualifications and licences for the tasks they are performing. It is the aged care centres responsibility to ensure qualifications and licenses of Contractors are checked.

All contractors must have a current Workers Compensation Policy must be in place which covers ALL your employees. Employees of any sub-contractors must also be covered by a Workers Compensation Policy. *This is not applicable for self-employed Contractors/Suppliers or Sole Traders (note a contractor statement needs to be completed in all cases)*

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## Police Checks

It is a legal requirement in aged care services that any person having unsupervised access to residents must hold a valid police check. Contractors attending to do simple repair work (day visit only) do not need to have a police check. However, major works will require that the contractor can confirm that all his employees working within the aged care centre hold a valid police check.

It is your obligation to be familiar with your obligations under the Aged Care Act 1997 and amendments and this information is readily available through the Government website: [www.health.gov.au](http://www.health.gov.au)

On the 16<sup>th</sup> of April 2010 the Department of Health & Ageing supplied this specific guidance to Approved Providers:

### ***“Police Check Requirements – Clarification of an Independent Contractor***

*Peak organizations have asked for clarification regarding police checks for independent contractors, in particular trades people who perform work which is not under the control of the approved provider (e.g. a plumber or electrician or delivery person) and who therefore do not fall under the definition of a ‘staff member’.*

*The following information has been provided to clarify the meaning of “under the control of” in relation to Part 4, Section 1.18 of the Aged Care Principles which defines staff member of an approved provider. The intention of this Section is to clarify for approved providers that contractors who were utilised on an ‘ad hoc’ basis are not required to have police checks. The issue of whether a person is under the control of an entity is generally decided on the basis of the degree of control that is exercised over the person’s work.*

*The indicators approved providers can use as a guide to establish whether a person is an independent contractor, include that:*

- *the service provider has an ABN;*
- *the service provider advertises his or her services;*

# Contractor Handbook

- *the service provider has clients other than the approved provider;*
- *the approved provider does not determine the working hours and wages of the service provider;*
- *the approved provider does not make superannuation payments on behalf of the service provider; and*
- *the approved provider does not pay the service provider holiday pay or sick leave.*

*A precise determination of whether a contractor is under the control of an aged care service provider can be difficult and whether someone is an employee or an independent contractor is a matter that might ultimately be determined by the courts.*

*The policy intention is to allow for reasonable judgments to be made. For example, where an allied health professional regularly provides services to clients of an approved provider at a date and time determined by the approved provider, under a contractual arrangement, it would be expected that this arrangement makes a provision for the allied health professional to have a police check.*

*If however the allied health professional provides ad hoc services to clients of the approved provider at a time and date determined by the allied health professional, or at the request of the care recipient, then a police check would not be required.*

*The police check policy is not intended to extend the requirement to people contracted on an ad-hoc or one-off basis, to provide services such as plumbing, electrical, removalists services and the like. Trades people and allied health professionals engaged on an 'ad hoc' basis by the approved provider (for example, to repair an appliance or to provide a 'one off' service at a date and time determined by the person providing the service) do not require police checks. However those providing ad hoc services should be subject to appropriate supervision to ensure that the approved provider meets its responsibility to ensure the health, safety and well-being of care recipients.*

*This matter represents an area of potential significant risk to the quality care outcomes for service recipients and directly relates to an approved providers' duty of care. Therefore, in establishing service agreements with service providers who have direct access to care recipients, such as podiatrists and physiotherapists, approved providers are encouraged to consider the appropriateness of police check requirements in meeting their obligation to protect the health, safety and well-being of those care recipients.*

*Any person who does not have, and is not likely to have, access to care recipients is not required to have a police check."*

*Carolyn Smith*

*First Assistant Secretary*

*Office of Aged Care Quality and Compliance*

*16 April 2010"*

## Request for verification of Police Checks

From time to time the Aged care Standards & Accreditation Agency or SummitCare Senior team will conduct visits and if you are currently supplying service to SummitCare under a current service agreement and you have personnel who meets the criteria above you may be contacted to produce a valid Police Check. This request will usually be made verbally and the primary contact will be expected to produce documents by way of Email or Fax to meet the information needs of the external regulatory body to verify a police check that meets the requirements.

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## Contractor Statement and Checklist

All contractors both organisational and centre base are required to assist SummitCare to complete the contractors statement and checklist. The contractor statement is prepared in accordance with the

# Contractor Handbook

Workers Compensation act 1987, Payroll Tax Act 1971 and Industrial relations Act 1996. This statement and checklist must be completed prior to commencement of work. This checklist can be found at the back of this booklet.

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## Communication

You must communicate with the Aged Care Centre's Operations Manager, Manager - Accommodation Services or nominated delegate at the following key times:

- On arrival (to provide identification and state the purpose of your visit)
- On completion of your required work
- Immediately if you become aware that there may be a disruption to operations resulting from your work.
- Whenever a significant decision in relation to works is to be made affecting operation or safety.

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## Occupational Health and Safety Policy

SummitCare has an obligation under the NSW Occupational Health and Safety Act 2000 and Regulations 2001 to provide a safe and healthy environment for all staff, residents and visitors these are displayed at each of our centres in the entrance foyer and in many staff rooms.

Every contractor has the responsibility to perform their work in a safe manner and to report any unsafe work practices or equipment to the Centre Operations Manager / Manager Accommodation Services / OHS Coordinator as they are detected.

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## Accidents / Incidents at Work

You must report all injuries (including minor ones), incidents, property damage, chemical spillage, "near miss" incidents and any incident not consistent with expected practice to the SummitCare Representatives.

SummitCare is committed to the prevention of injury, however, should injury occur, the following steps should take place:

- Report injury/accident to the Operations Manager, Manager Accommodation Services, Manager Care & Lifestyle, or Registered Nurse in Charge during that shift.
- Complete an Accident / Incident form
- The OM, MAS, MC&L or Registered Nurse In Charge must inspect area of incident and report findings in the appropriate section of the Accident / Incident form
- The injured contractor should be provided First Aid if required
- The contractor should be sent to a Medical Officer if required
- The Centre Operations Manager must be notified if not in the Centre.
- The OHS Coordinator will review the situation and make a referral to the OHS committee as required.

# Contractor Handbook

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## Hazard Reporting

A formal procedure exists within SummitCare for reporting and correcting workplace hazards. This procedure is documented in Risk Assessment Package. A copy of this is available in all aged care centres.

If you identify a hazard you must inform the SummitCare Representative who will follow the hazard reporting procedure by completing a Risk Assessment Package.

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## Risk Assessment

Contractors must undertake a risk assessment prior to commencing work, and identify any hazards that may endanger residents, staff, visitors, or themselves. These are to be reported immediately to the Operations Manager /Manager Accommodation services or nominated delegate and documented on an Occupational Health and Safety Risk Management Package form which is available from the Centre Operations Manager.

Possible hazards include, but are not limited to:

- height of application
- exposure to hot drill shavings while drilling with battery drills
- noise of equipment
- height of ladders
- working on the roof or high windows
- equipment left lying in corridors or exits
- working in the sun

At no time are fire exits or corridors to be blocked by equipment. The contractor must inform SummitCare in advance if the work they are undertaking is going to create noise or odours.

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## Risk Control

Risks that can be controlled must be controlled. Safety controls include, but are not limited to:

- Use of correct ladders
- Ladders over 3 metres must be tied off top and bottom, and height safety equipment must be used
- Eye protection must be worn where appropriate
- Arm protection
- Ear muffs when working with noisy machinery
- Do not get on the roof when it is wet
- Wear sunscreen, hat, and long sleeve shirt when working outside.

# Contractor Handbook

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## Safe Work Procedures

Prior to commencement of works, all trades based contractors are required to submit (for review and authorising) their site and task specific safe work procedure [may also be called Safe Work Method Statement (SWMS), Job Safety Analysis (JSA), hazard or risk assessment etc];

The documented safe work procedure should outline a description of how the work is to be done, a risk identification and assessment and a description of minimum risk control measures (including the equipment used, the standards or codes that must be complied with, the qualifications of personnel doing the work and the training required to do the work) to be put in place on all SummitCare locations.

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## Environmental Requirements

### *Reporting Requirements*

The following types of incidents must be reported to the SummitCare Representative immediately:

- Any spill/deposit of solid or liquid material which has, or may, enter the stormwater, sewer, and/or trade waste drainage systems or ground water.
- Any gas or offensive noise emissions.

*This does not alleviate any responsibility or legal obligation of the contractor/supplier to report such incidents to a relevant authority as required by legislation. All efforts should be made to minimise noise caused by works where they have the potential to impact on aged care centres and neighbouring premises.*

# Contractor Handbook

## General SummitCare Policies and Procedures

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### Improvement Logs

SummitCare uses Improvement Logs within each of its' Aged Care Centres to identify issues and suggestions for improvement. Improvement Logs are kept at reception, and we encourage all contractors to complete them if they have any comments or suggestions.

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### Maintenance Requests

SummitCare uses Maintenance Logs to identify any equipment that requires maintenance. If you discover any equipment that has need of repair or preventative maintenance, complete the Maintenance Log located at reception. If you are unsure of the process, please speak to the Maintenance Officer at the Centre.

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### Contractor Comments and Complaints

SummitCare values feedback from all stakeholders, and are committed to ensuring complaints are managed effectively. Comment, Complaints and Suggestions Forms can be obtained at the reception at the Centre. The Centre Operations Manager is available if you have any questions regarding comments and complaints. If you are not satisfied with response you have received at the centre, you can contact the Group Manager Accommodation Services on ph: (02) 9398 4000 or in writing to PO Box 521 Randwick NSW 2031.

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### Dress

Clean clothing must be worn at workplaces particularly near resident and food preparation areas. Thongs or sandals are not to be worn while working at SummitCare Aged care centres. The use of enclosed, non-slip footwear is required in all areas of the aged care centre. (Refer to the section entitled *Personal Protective Equipment (PPE)* for further information).

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### Alcohol/Drugs

You are not permitted to bring alcohol or illegal drugs to our workplaces or enter our workplaces whilst under the influence of alcohol or illegal drugs.

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### Skylarking/Practical Jokes

These are strictly prohibited.

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### Parking

You shall take all reasonable steps to minimise obstruction by your vehicles to roadways, exit routes, and fire protection equipment.

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### Food Consumption

You are welcome to provide your own meals but are prohibited from eating them in the kitchen, resident or stock areas.

# Contractor Handbook

## Smoking

From July 2011 all SummitCare work locations are to be smoke free for all residents, visitors, employees and contractors.

# Contractor Handbook

## Harassment, Discrimination and Vilification

### What is Harassment?

Harassment is any form of behaviour that is not warranted and not asked for. It may involve physical, visual, verbal, or non-verbal conduct which humiliates, offends, or intimidates.

### What is not harassment?

A relationship that is freely accepted by all persons involved is not harassment. If a person is in doubt about whether a particular form of behaviour is acceptable, they should ask the person concerned. If they are told to stop, then they should stop immediately (and apologise).

The federal Sex Discrimination Act 1984 makes unlawful any form of harassment on the grounds of sex, marital status, pregnancy, or potential pregnancy.

The federal Racial Discrimination Act 1975 makes unlawful any form of harassment on the grounds of race, colour, descent, or national/ethnic origin.

Contractors must not under any circumstances harass staff at SummitCare, as action through legal channels will be taken.

### What is discrimination?

Discrimination means treating someone unfairly because they belong to a particular group of people.

Discrimination, direct and indirect is prohibited by the following legislation:

- Anti-Discrimination Act 1977 (NSW)
- Sex discrimination (gender, sexuality, and pregnancy)
- Race discrimination (race, colour, ethno-religion, descent, and nationality)
- Age discrimination
- Marital status discrimination (includes who their spouse is)
- Disability discrimination (including HIV/AIDS)
- Discrimination of a person based on their association with a person or class of persons defined above.
- Physical or Intellectual impairment.

### What is vilification?

Vilification is any public act that could incite (encourage) hatred, serious contempt, or severe ridicule towards a person, or group of persons, and is prohibited under the NSW Anti-Discrimination Act 1977 on the grounds listed for discrimination.

### Note to contractors

***Harassment, discrimination, and or vilification are not tolerated at SummitCare, and investigation of any incidences will occur, with appropriate action taken against offenders.***

# Contractor Handbook

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## Sexual Harassment Policy

It is a policy of SummitCare that sexual harassment of an employee or applicant for employment in any form will not be tolerated. Sexual harassment is against the law under the Federal Sex Discrimination Act 1984, and NSW Anti-Discrimination Act 1977.

Sexual harassment includes unwelcome sexual advances, requests for sexual favours, and other verbal, visual, or physical conduct of a sexual nature.

Sexual harassment also includes, but is not limited to, unwelcome sexual flirtations, advances or propositions, verbal abuse of a sexual nature, subtle pressure or request for sexual activities, unnecessary touching of an individual, graphic documentaries about an individual's body, sexually degrading words used to describe an individual, a display in the workplace of sexually suggestive objects, sexually explicit jokes, or physical assault.

Sexual harassment is not behaviour which is based upon mutual attraction, friendship and respect. If the interaction is consensual, welcome, and reciprocated, it is not sexual harassment.

Any contractor who is determined, after an investigation, to have engaged in sexual harassment, in violation of this policy, will be subject to appropriate action.

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## Privacy and Confidentiality

SummitCare is covered by 10 National Privacy Principles (NPPs), as set out in the Privacy Act 1988 (amended by the Privacy Amendment (Private sector) Act 2000).

SummitCare takes its obligations under the Privacy Act seriously and will take all reasonable steps in order to comply with the Act and protect the privacy of personal information that we hold. This policy sets out how we intend to achieve this.

The policy applies to all persons involved in our organisation. This includes residents, prospective candidates for employment, employees and any person who provides us with their personal information.

All information in Resident's and Employee records is confidential. Access to Resident and Employee Files is limited to authorised personnel; therefore if access is required you should speak with the Operations Manager. If authorisation is given, access is only granted to companies who comply with the 10 National Privacy Principles (NPPs), as set out in the Privacy Act 1988 (amended by the Privacy Amendment (Private sector) Act 2000).

All information relating to the care of Residents is confidential. Discussion of matters relating to Residents should only take place with the appropriate medical, nursing staff, or allied health professionals.

Under no circumstances should information be discussed outside the Centre, and no documents should be removed from the Centre.

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## Security

All contractors must sign in prior to entering the Centre at reception, and sign out before leaving.

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## Fire and Other Emergencies

Fire evacuation plans are available in the foyer of each Centre and throughout the building. Fire equipment is available throughout each Centre. Emergency procedures manuals and flip cards are available at the Nurse's Stations. In the case of a fire or emergency, please follow the directions of the

# Contractor Handbook

Operations Manager, Manager Accommodation Services, Manager Care and Lifestyle, or Registered Nurse in Charge.

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## Contractor Non Conformance - Corrective and Preventive Action

SummitCare is committed to ensuring that non conformances or potential problems relating to products or services are identified, documented and brought to the attention of the Centre Operations Manager and the supplying company, and steps are taken to rectify the issues.

If during the performance of works under the contract, the SummitCare Group Manager – Accommodation Services will inform the contractor that it is the opinion of SummitCare that the contractor is:

- Not conducting the work in compliance with the Contractor handbook and associated SummitCare OHS policies and procedures.
- Conducting work in such a way as to endanger the contractors employees or the contractors subcontractors employees, SummitCare employees, SummitCare residents and families, visitors, plant equipment or materials

The contractor shall promptly remedy that breach of the health and safety.

SummitCare may direct the contractor to suspend the work until such time as the contractor satisfies SummitCare that the work will be resumed in conformity with applicable health and safety provisions. During periods of suspension referred to above, SummitCare shall not be required to make any payment whatsoever to the contractor.

If the contractor fails to rectify any breach of the health and safety for which the work has been suspended, or if the contractors performance has involved recurring breaches of health and safety, SummitCare may as its option to terminate the work forthwith, without further obligation to the contractor. In this event, SummitCare liability shall be limited to payment for the work preformed and costs incurred by the contractor up to the time of termination or an earlier suspension of works.

# Contractor Handbook

## CONTRACTOR CHECKLIST

**This form needs to be completed and returned to the Manager or Delegate for ALL organisational and centre based contractors.**

Name of Contractor: \_\_\_\_\_

Company: \_\_\_\_\_

Date of Commencement: \_\_\_\_\_

| Documents  | Completed | Not completed |
|--|-----------|---------------|
| Tender or Quote  |           |               |
| Reference Checks (min. of 2) if appropriate  |           |               |
| Contractor Statement   |           |               |
| Acknowledgement Sheet of Contractor Handbook   |           |               |
| Copy of sighted original relevant Qualifications/ trade certificate  |           |               |
| Copy of Insurance policies workers compensation/public liability (may include SM 3.23 Workcover NSW Subcontractor Insurance Proforma form) |           |               |
| Orientation to workplace   |           |               |
| Safe Work Procedure  |           |               |
| SM 3.03.6 Contractor OHS pre-assessment checklist (preferred/selected supplier agreements only)  |           |               |
| SM 3.03.5 Contractor Acknowledgement Form  |           |               |
| Waste licence provided   |           |               |
| Approval given Date:   |           |               |
| Work completed and checked Date:   |           |               |
| Work Permit developed for any hot work, working at heights and confined space entry works being performed by the contractor.               |           |               |

Manager/Delegates Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

### **Contractor Copy**

# Contractor Handbook

## CONTRACTOR CHECKLIST

This form needs to be completed and returned to the OM or Delegate for ALL organisational and centre based contractors.

Name of Contractor: \_\_\_\_\_

Company: \_\_\_\_\_

Date of Commencement: \_\_\_\_\_

| Documents   | Completed | Not completed |
|---|-----------|---------------|
| Tender or Quote   |           |               |
| Reference Checks (min. of 2) if appropriate                         |           |               |
| Contractor Statement  |           |               |
| Acknowledgement Sheet of Contractor Handbook                        |           |               |
| Copy of sighted original relevant Qualifications/ trade certificate |           |               |
| Copy of Insurance policies workers compensation/public liability    |           |               |
| Orientation to workplace  |           |               |
| Risk assessment   |           |               |
| Copies of any OHS policies and procedures                           |           |               |
| Waste licence provided  |           |               |
| Approval given Date:  |           |               |
| Work completed and checked Date:                                    |           |               |

Manager/Delegates Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

**SummitCare Copy (fill in and return)**