



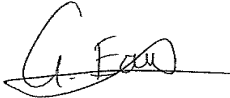
# SUPPLIER

## HEALTH AND SAFETY

Supporting a healthy and safe working environment for our people and customers

# Document Template Control

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May 2017

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## Document Template Revisions

REV	DATE	PAGES	DESCRIPTION	AUTHORISED
1	May 2017	All	First release of document	PU
1.1	Sept 2018	All	General Updates	PU
1.3	June 2019	All	General Updates	PU

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# Key actions for suppliers as part of a contracting chain with Spark

<p>Suppliers are to follow and comply with Spark's key H&amp;S requirements, their obligations under the contract and any applicable H&amp;S legislation when working at Spark.</p> <p>The following key requirements apply to suppliers working in Sparks critical environments and at-risk areas, or as requested from Spark.</p>
<ul style="list-style-type: none"><li>• Cooperate and coordinate collectively with all other suppliers on the project.</li></ul>
<ul style="list-style-type: none"><li>• Make sure that critical hazards and associated risks are identified managed and controlled using guidance from Sparks H&amp;S standards, legislation and best practice.</li></ul>
<ul style="list-style-type: none"><li>• Workers are to complete Spark's induction programme prior to starting work on site,</li></ul>
<ul style="list-style-type: none"><li>• Make sure that workers are made aware of all known hazards, risks and project requirements and are following agreed 'safe working practice'</li></ul>
<ul style="list-style-type: none"><li>• It develops and supplies adequate risk assessments and safe work procedures for critical work activities when requested from a Spark representative.</li></ul>
<ul style="list-style-type: none"><li>• Make sure their workers or 'third-party' contract workers have the necessary knowledge, experience and qualifications to carry out activities safely and are supervised by competent personnel.</li></ul>
<ul style="list-style-type: none"><li>• Regularly audit the performance of their work, self-employed and workers, and ensure they comply with the requirements of Spark, legislation and best practice.</li></ul>
<ul style="list-style-type: none"><li>• Supply correct, suitable and safe plant and equipment including PPE (personal protective equipment) always.</li></ul>
<ul style="list-style-type: none"><li>• Report all incidents and near misses to Spark in the first instance – see Section 2.9 for guidance on how to do this.</li></ul>

# 1. Introduction

## 1.1 Background

At Spark New Zealand Trading Limited (**Spark**) the health and safety of our people, and those working for us, is paramount. This Supplier Health and Safety Policy (**Policy**) sets out some minimum standards that we require all our suppliers, service providers and other contractors (**Suppliers**) to maintain to manage known risks and protect people and the environment.

## 1.2 Commitment

The Supplier should already have in place standards that are like this Policy. The Supplier's demonstrated commitment to comply with this Policy is an important factor when Spark is considering whether to engage that Supplier to perform work for Spark. When working for Spark, the Supplier must so far as is reasonably practicable:

- comply with the Health and Safety at Work (Hazardous Substances) Regulations 2017, and all other legislation, regulations, codes of practice and standards relating to workplace health and safety, including all WorkSafe guidance applicable to the activities being performed (**Health and Safety Laws**)
- meet or exceed the health and safety standards set out in this Policy

## 1.3 Feedback and suggestions

As a 'Person Conducting a Business or Undertaking' (**PCBU**), Spark invites the Supplier to provide feedback and suggestions on how Spark could improve this document so that it can achieve Spark's objectives of identifying and managing workplace risks and protecting workers.

## 1.4 Updates

Strong and effective health and safety policies and practices are dynamic and require regular review and improvement. Spark may update this Policy by publishing a revised version at [www.sparknz.co.nz/about/suppliers/](http://www.sparknz.co.nz/about/suppliers/) (**Supplier Portal**). When accepting any order from Spark, the latest version of this Policy, as published on the Supplier Portal or otherwise notified in writing to the Supplier, will apply. Suppliers should regularly check the Supplier Portal to ensure that they are following the most up-to-date version of this Policy.

## 1.5 Monitoring and audits

Where reasonably practicable, Spark will conduct joint verification audits of the standards set out in this document with the Supplier, to ensure they are being met in practice. Where joint verification is not practicable, the Supplier is to provide copies of the Supplier's health and safety principal contractor audits/checks, self-monitoring and audit findings to Spark on request.

## 1.6 Communication to workers

If the Supplier manages or controls work activities and workers undertaking those activities, it must take reasonable steps to ensure that those workers and any other persons involved in those work activities are aware of and agree to comply with the requirements in this Policy before starting or being involved in any work; and to ensure that the requirements in this Policy are included in any induction programmes and written safe systems of work (e.g. Work Permits, Safe Work Method Statements, Job Safety & Environmental Analysis, Task Analysis) that is developed, applied and monitored by the Supplier.

## 1.7 Compliance

The Supplier must take reasonable steps to ensure that its workers, comply with this Policy. If Spark becomes aware that a Supplier or worker has not complied with this Policy:

- Spark may notify the Supplier in writing, including identifying the compliance concerns and actions required to rectify the situation.
- depending upon the severity of the risk, Spark may suspend work until appropriate rectification actions are completed (in which case, Spark will not be liable for any costs or losses incurred by the Supplier).
- the Supplier must develop a remediation plan in consultation with Spark to resolve that non-compliance.
- if that non-compliance is not resolved to Spark's reasonable satisfaction, or the Supplier repeatedly fails to comply with this Policy, Spark may disqualify that Supplier from supplying products or services to Spark and may pursue any other rights or remedies available to Spark under its contract with that Supplier or at law.

# 2. General requirements

## 2.1 Access and egress

The Suppliers and its workers undertaking activities at Spark's or Spark's customer's sites (**Sites**) are to ensure that access and egress to and from the Sites is not compromised, including but not limited to:

- any means of access to or from the buildings and places at which people are required to work,
- the movement of people or vehicles on footpaths, roads or other similar routes, and
- access to emergency apparatus such as firefighting equipment.

## 2.2 Signage

Where work is conducted at any Site, the Supplier is to carry out the following actions:

- display suitable and clear segregation, signage and warning signs always, and
- disseminate any information supplied by Spark on the nature of risks and controls relevant to an emergency type.



## 2.3 Control of Work

Spark has identified the following work activities as possibly exposing workers to hazards with the potential for critical risks:

- work at height
- particular hazardous work notifiable to WorkSafe ([www.worksafe.govt.nz/worksafe/notifications-forms/particular-hazardous-work](http://www.worksafe.govt.nz/worksafe/notifications-forms/particular-hazardous-work))
- confined space entry
- work on live electrical equipment
- construction work (including demolition)
- management of asbestos
- working in any facility after a natural disaster or emergency
- working alone in remote areas

For such activities, the Supplier must ensure that specific Spark-approved health and safety processes are confirmed and in place before starting work.

## 2.4 Permits to Work

For certain high risk activities, Spark requires that a 'Permit to Work' (**Permit to Work**) to be issued before work starts in accordance with Spark's 'Control of Work' requirements (**Control of Work**). Control of Work requirements will be discussed in detail by Spark's representative.

If a Supplier starts high risk work (see above) without a Permit to Work in place or outside of the permit's requirements, Spark may halt work and investigate the situation. Repeated or serious breaches of Spark's Permit to Work requirements may result in the Supplier or its workers, being removed from Spark's approved suppliers list and prohibited from performing further work for Spark.

## 2.5 Emergency arrangements

Induction to any Sites will include an overview of Spark's relevant emergency arrangements and evacuation procedures, including identifying Spark's first aiders and fire wardens for that Site, where applicable. The Supplier must include emergency arrangements for any specific activities they are undertaking and workplaces it controls.

If a Supplier oversees a workplace on behalf of Spark, they must create and maintain an appropriate emergency preparedness plan (including identification of suitably trained first aiders, fire wardens and emergency control management). Spark may require that plan to be reviewed and approved by Spark in accordance with Spark's Control of Work process.

## 2.6 Personal Protective Equipment

Although the issuing and use of personal protective equipment (PPE) will not always be required, where PPE is identified as a risk control measure, all workers in that area or undertaking that activity must have been provided with, be trained in the use of and always wear, that PPE in accordance with the relevant safe system of work.

## 2.7 Environmental / Occupational health hazards

Spark will endeavour to ensure exposure to known environmental / occupational health hazards (e.g. noise, dust and fumes) at any Spark-controlled Site is controlled and advise if any additional protection is necessary. Should any Supplier consider that Spark's controls are inadequate, could be improved or otherwise require review, the Supplier must promptly notify the relevant Spark representative of the Supplier's concerns or suggestions.

Where a Supplier's activities expose workers to environmental / occupational health risks, the Supplier must implement adequate controls to eliminate or minimise those risks.

## 2.8 Equipment

The Supplier is to carry out the following requirements, for any equipment it supplies (whether hired or owned) for use in performing any work for Spark:

- ensure that equipment is fit for purpose and suitable for the task, including that safety devices for that equipment (including guards and emergency cut outs) are appropriate and are maintained in good working order
- is stored safely and secured against unauthorised access when unattended
- is regularly inspected and maintained in accordance with the manufacturer's guidance
- ensure that all its workers who may use equipment during that work are trained in the correct use and limitations of that equipment and carry with them any relevant certification of competency
- implement and maintain appropriate processes for the removal and prevention of use of any equipment that is found to be defective or dangerous (e.g. 'Lock Out / Tag Out')
- for any equipment provided by Spark or other contractor acting on behalf of Spark, follow all Spark's protocols and directions regarding the safe use of that equipment

## 2.9 Event reporting and investigation

Spark is committed to putting in place processes to eliminate or minimise risks to health and safety, providing and maintaining safe systems of work and providing information, training, instruction and supervision, all with the goal of ensuring health and safety in the workplace for all workers and other persons while Spark work is carried out and avoiding health and safety incidents from occurring.

If an incident (including a potential incident) occurs, following containment of the situation (e.g. securing the immediate area, providing first aid or medical assistance, containing spillage etc.) it is critical that Spark can readily investigate that incident so that it can understand what went wrong and measures can be implemented to prevent any re-occurrence.



The Supplier is to notify Spark's representative verbally and in writing immediately after any of the following incidents occurring:

- injuries resulting in lost time (i.e. next rostered shift)
- notifiable events (see [www.worksafe.govt.nz/worksafe/notifications-forms/notifiable-events](http://www.worksafe.govt.nz/worksafe/notifications-forms/notifiable-events))
- incident to member of the public (regardless of severity of injury)
- incident causing media interest

Spark's representative will enter the incident in its H&S Risk Management Information Management System, Risk Manager, as an Incident. Incident types currently include: Injury, Uncontrolled Hazard and Near Miss.

Following any such incident, the Supplier must co-operate with Spark's investigation, including providing any documents, information or assistance reasonably requested by Spark. If the Supplier is independently investigating the incident, it must disclose to Spark all its investigation information, including any findings and recommendations.

Without limiting the Supplier's obligations under the Health and Safety Laws, the Supplier is to provide Spark with an advance copy of any WorkSafe notification the Supplier submits, including providing as much notice as is reasonably practicable in the circumstances.

If the Supplier is required to investigate or jointly investigate any incident, this is to be carried out and completed as soon as reasonably practicably and accordance with Spark's reasonable directions. In any event, the Supplier must submit to Spark a draft report within 5 working days after the incident and a final report within 10 working days after the incident.

## **2.10 Fitness for work**

When performing work for Spark, the Supplier must take reasonable steps to ensure that its workers:

- are fit for work and free from any known physical conditions or illness which could expose them to harm
- only undertake tasks which they are capable of performing and, where reasonably necessary, subject to periodic medical assessments for ongoing capability

## **2.11 Hazard identification and risk management**

The Supplier and its workers must be diligent about identifying hazards and reducing and managing residual risk. The Supplier is to have suitable processes in place and provide workers who are trained and competent to undertake hazard and risk assessments.

Spark, where reasonably practicable, will share any information that it's aware of in relation to known hazards and risks at the Sites and from Spark's activities, and share such information with Spark on a continuous basis.

The Supplier must ensure that scope and extent of risk assessments is commensurate with the nature of the activity and identified risks. As a minimum, a risk assessment and safe system of work is to be provided, known and adhered to by all workers involved in that activity.

Where Spark or the Supplier deems that work activities and projects involve inherent risk, the Supplier is to develop and maintain an adequate and suitably-detailed health & safety plan for those activities or projects before starting any work.

The Supplier must ensure that all its hazard and risk management arrangements meet, or if practicable to do so, exceed the requirements set out in the Health and Safety Laws.

The Supplier must take reasonable steps to advise Spark immediately of any hazards and risks that it encounters and that are caused by Spark or its other suppliers (whether through activities, control of premises or otherwise) .

## **2.12 Monitoring good work practices**

Even with the best systems in place, it is important that the Supplier and Spark meet and communicate regularly to review health and safety matters relating to the work Supplier is performing for Spark.

The Supplier is to have in place an agreed audit or inspection plan in place; and regularly monitor workers to ensure that all required health and safety policies and procedures are being followed when performing work for Spark.

On request by Spark, including at intervals reasonably specified by Spark, the Supplier is to provide copies of all audits, plans and monitoring reports relevant to the performance of work for Spark NZ. If Spark identifies areas for improvement, the Supplier must promptly address those concerns to Spark's reasonable satisfaction.

Spark may undertake periodic site visits and other compliance verification activities to observe that the Supplier is effectively managing health and safety risk when undertaking work for Spark. Spark may report on the outcomes of such verification activities to its senior management and board of directors.

## **2.13 Notifiable work activities**

The Supplier must comply with all Health and Safety Laws relating to certain activities such as demolition, excavation and other prescribed by WorkSafe as meeting the criteria of notifiable work activities (see [www.worksafe.govt.nz/worksafe/notifications-forms/particular-hazardous-work](http://www.worksafe.govt.nz/worksafe/notifications-forms/particular-hazardous-work)). The Supplier should follow industry best practice guidance procedures and must have a Control of Work permit issued by Spark before starting any such work.

The Supplier must immediately contact Spark's representative if it believes that an activity being performed for Spark may be a notifiable work activity.

## **2.14 Protection of the public**

Where the Supplier is performing activities for Spark at any location where members of the public are present or could access, the Supplier must implement all controls reasonably required to protect members of the public from any health and safety hazards or risks that may arise from those activities. Such controls may include without limitation clear signage, segregation, restricting access, supervision and securing of sites when unmanned.

## **2.15 Protect the Network/Person**

Before entering any Spark exchange, data centre or similar sensitive area, the Supplier and its workers are to attend any 'Protect the Network' (PTN) and 'Protect the Person' (PTP) training. Spark may update that training from time to time, in which case the Supplier and its workers are to attend refresher training. If the Supplier or any of its workers does not comply with any PTN or PTP requirement, Spark may suspend access to, and deactivate access cards for, any affected worker or Supplier without liability to the Supplier.

## 2.16 Training and competency

The Supplier is to ensure that its workers are adequately trained in all applicable systems and processes relating to health and safety, including operation of equipment, while performing work for Spark.

The level of training and competency required will depend on the type of activities you are performing and the hazards and risks that potentially arise from those activities. As a minimum, the Supplier must provide its workers with suitable training, information and materials relating to:

- site induction
- safe use of equipment provided to perform the work
- the use and limitations of any PPE required for the activities
- hazard and risk awareness and management relevant to the activities
- any specific competencies required for critical risk activities (eg. confined spaces, work at height, electrical safety)
- supervisor and manager training as appropriate (such persons to have a higher level of training than the workers they are managing)

When working at a Site, the Supplier's workers will be provided with site-specific induction. If the Supplier has its own induction processes, these are to be consistent with and complimentary to those provided by Spark. The Supplier is to co-coordinate and consult with Spark to resolve any inconsistency between the parties' induction processes.

If Spark specifies any additional training or other health and safety requirements about a tender, request for proposals or pre-project stage, the Supplier is to commit to complying with such requirements as a condition of performing the relevant work for Spark.

## 2.17 Temporary workers

If the Supplier uses temporary workers (where direct supervision is not provided by the temp agency), the Supplier must supervise those temporary workers for as long as they are performing work for Spark; and provide suitable health and safety induction and training for temporary workers and ensure the competency of temporary workers to perform the required work.

# 3. Critical Hazards and Risk Standards

## 3.1 Confined spaces

Before entry into any confined space by a Supplier, Spark requires a detailed risk assessment, and safe system of work is to be prepared, a Permit to Work to be issued and the PTP process to be followed; and

Contact Spark's representative to confirm that the above requirements have been met and obtain any necessary permissions before starting work in any confined space.

## 3.2 Asbestos

Asbestos surveys have identified 'AsbestosContainingMaterials' (**ACM**) in some of our buildings.

If the Supplier's work activities are invasive, the Supplier must review the relevant worksite Asbestos Management Plan (AMP) report before developing and submitting the proposed work methodology to Spark for approval.

The Supplier must not perform any work activity on ACM except with Spark's prior written approval in accordance with Spark's 'Control of Hazardous Work' requirements.

Supplier must perform any remedial works on ACM in accordance with the Health & Safety (Asbestos) Regulations 2015 and ensure that all its workers who are likely to work with ACM are aware that they are working in an ACM environment.

## 3.3 Drugs and alcohol

No drugs or alcohol are permitted on a Spark worksite; and no persons impaired or intoxicated or under the influence of drugs and/or alcohol are to be allowed on Site or to carry out any work on the Site.

The Supplier must have an appropriate workplace drug and alcohol policy in place which provides, in accordance with good industry practice, the ability for drug and alcohol testing (including post-incident testing, for just cause, and random testing) to be carried out in respect of its workers (including staff, labour hire personnel, Subcontractors and their staff) and visitors attending the Site.

The following Supplier D&A requirements also applies:

- The supplier will inform all persons entering the site at the time of induction and sign-in that they may be subject to drug and alcohol testing.
- The Contractor (at its cost) will carry out drug and alcohol testing (including post-incident testing, for just cause, and random testing) using a suitably qualified testing agency,
- If reasonably practicable the supplier will attempt to inform the Principal prior to carrying out any on Site testing.
- Any person who refuses to be tested or returns a non-negative or positive test result for drugs and/or alcohol, must be removed from the Site immediately by the Supplier and will not be allowed to take any further part in the Contract Works.

## 3.4 Electrical safety

The Supplier must take reasonable steps to ensure that the following electrical requirements are carried out always:

- all electrical equipment used by its workers or otherwise supplied for any in performing any work for Spark is suitably tested at agreed intervals and are used with a residual current device (**RCD**) where reasonably available.
- avoid using extension leads and multi-point power boards wherever possible.
- any electrical tools used by its workers or otherwise supplied for use in performing any work for Spark are repaired by a competent person and in accordance with all applicable electrical regulations and Health and Safety Laws.
- Where the working environment or activities could result in the use of electrical equipment being hazardous, ensure that intrinsically safe and suitably-insulated equipment is used.
- all required electrical registrations and certifications are current before starting any work.

### **3.5 Remote locations and facilities**

If the Supplier needs to perform work for Spark at a rural or remote Site, the supplier is to contact Spark's representative to ensure that all relevant health and safety information for that Site has been provided and all known hazards and controls discussed and agreed. The Supplier is to ensure that its workers have been given all necessary health and safety and training when undertaking work at such Sites, including providing a suitable vehicle for site access. and comply with all access requirements, for the relevant site before starting work.

### **3.6 Use, handling and storage of hazardous substances**

If the Supplier needs to perform work that require any worker to use, handle or store substances classified as hazardous, the Supplier must implement and maintain all necessary processes and controls to meet requirements set out in the Health and Safety at Work Hazardous Substances Regulations 2017- These new Regulations sit under the Health and Safety at Work Act (HSWA), and guidance from WorkSafe.

[https://worksafe.govt.nz/dmsdocument/2644-changes-to-hazardous-substances-regulations /](https://worksafe.govt.nz/dmsdocument/2644-changes-to-hazardous-substances-regulations/)

### **3.7 Vehicles**

When at any Site or otherwise using a vehicle about the performance of any work for Spark, the Supplier must take reasonable steps to ensure that all workers:

- comply with all parking signs and Spark directions relating to parking at the Site
- ensure access to the site (especially for emergency services) is not blocked or impeded
- obey all speed limits, road rules and other signage relating to the use of a vehicle
- otherwise drive such vehicles in a safe and considerate manner

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