Contractor Management Audit Checklist
Metalliferous, Opal and Extractive Mines and Quarries

MEX-011
August 2009
Background

The legislative provisions for the Operators of Metalliferous, Opal and Extractives mines and Quarries that commenced in September 2008 include the requirement for the Mine Safety Management Plan to include summaries of, or references to a Contractor Management Plan.

The Wran Mine Safety Review recommended that DPI:-

- Closely monitor the implementation of contractor management provisions during the initial two years of operation;
- Conduct a major audit of the practice, performance and compliance under the new provisions after two years (Recommendation 17)

This document contains Audit Criteria that include all contractor management provisions in the Occupational Health and Safety Act 2000, Occupational Health and Safety Regulation 2001, Mine Health and Safety Act 2004 and the Mine Health and Safety Act Regulation 2007. It has also been mapped against the Coal Operation Audit Checklist – 2.3 Contractor Management and relevant criteria and questions copied for consistency and completeness.

References

- Mine Health & Safety Act 2004
- Mine Health & Safety Act Regulation 2007
- Occupational Health and Safety Act 2000
- Occupational Health and Safety Regulation 2001

NSW Mine Safety Review, Report to the Hon Kerry Hickey MP, Minister for Minerals Resources, by the Hon Neville Wran AC QC and Jan McClelland, February 2005

Legislation Compliance Audit Tool for Metalliferous, Opal and Extractive Mines and Quarries 2009

Audit Checklist – Coal Operation Contractor Management Plans Desktop Assessment Program 2008 COA-015

Audit Checklist – 2.3 Contractor Management; Coal Operation Health and Safety Audit Framework

Mine Safety Management Plan Assessment. IGA - 011

Objectives

The objectives of this Audit Programme are to:

- Assess the compliance of NSW metalliferous and extractive mine operations with the Contractor Management Plan provisions of the Mine Health & Safety Act and Regulation.
- To provide feedback to mine operators on the extent of compliance with the legislative provisions.
- Identify gaps or deficiencies in contractor management systems and recommend practical advice on improving the mine’s contractor management practices and performance.
- Identify any industry-wide problems and issues in achieving compliance and develop strategies to address them.
- Establish baseline data in COMET on the extent NSW metalliferous and extractive mines compliance with the legislative provisions to enable repeat audit programmes to assess trends in contractor management compliance.
Project Scope and Timeframe

The Contactor Management audit will be conducted for all underground metalliferous mines in NSW, large (> 10⁶ tpa) open pit mines and a representative sample of medium size and small extractive operations. The selection of extractive operations audited shall be determined by each officers’ workplan. This initial audit programme will be conducted until September 2010 (2 years after commencement of the current Act) when a review of the results and future audit strategy will be conducted.

Process

The audit process will be consistent with standard auditing methodology as per ‘Guidelines for Auditing Quality Systems AS 3911.1’ and will include formal feedback to the mine operation. Feedback may be in the form of a completed audit checklist that includes Notes / Actions agreed during the audit and/or separate report/letter. A Contractor Management Audit Record Sheet is included to record relevant audit details.

Example Audit Questions and Evidence of Compliance

The Audit Checklist contains examples of questions that may be asked by the auditor and compliance evidence that may be available to demonstrate compliance. It should be noted that these are examples only and the nature of questions asked and the extent of available evidence may vary between operator and contract type. Additional questions that extend the audit process are recommended.

Audit Rating

The rating system indicates the extent that an effective system has been developed and implemented. It does not indicate a ‘score’ that may lead to complacency in improving some elements of the Contractor Management Plan by some mine operations. The objectives of the audit are stated on page 2.

The Rating indicates a range of compliance from:-

**Just Starting** (rating 1 or 2) – evidence exists of some documented procedures. Evidence of implementation of the procedures may be lacking. Significant actions identified to achieve legislative compliance.

**Progressing** (rating 3 or 4) – a Contractor Management Plan exists and is part prepared. Some evidence of procedures effectively utilised however, ongoing work required to achieve legislative compliance.

**Done** (rating 5) – A fully documented, current and comprehensive Contractor Management Plan exists with effective document control and review mechanisms. Evidence exists that procedures are effectively implemented.

**Not Applicable** (N/A) – the audit criteria in question does not apply at the mine operation.

Feedback

A feedback sheet is provided at the end of this document.
Disclaimer

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Use of this document does not relieve the user (or a person on whose behalf it is used) of any obligation or duty that might arise under any legislation (including the Occupational Health and Safety Act 2000, any other Act containing requirements relating to mine safety and any regulations and rules under those Acts) covering the activities to which this document has been or is to be applied.

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Users should always verify historical material by making and relying upon their own separate inquiries prior to making any important decisions or taking any action on the basis of this information.

This publication may refer to NSW legislation that has been amended or repealed. When reading this compliance audit tool, users should always refer to the latest legislation which can be found at www.legislation.nsw.gov.au.
Definitions

**Alter** means design of, add to or take away from plant if the change affects health or safety, but does not include routine maintenance, repair or replacement.

**AS** means Australian Standard

**cl** means clause

**Contractor** in relation to a mine, means a person who is not an employee at a mine, who undertakes work at the mine, but does not include the operator of the mine.

**CMP** means the contractor management plan (the operator’s)

**CSMP** means the contractor’s safety management plan

**MHS Act** means the Mine Health and Safety Act 2004

**MHS Regulation** means the Mine Health and Safety Regulation 2007

**MDG** means Mining Design Guidelines

**MSMP** means Mine Safety Management Plan

**Non compliance** means that at the time of the audit you can not demonstrate you have met the minimum requirements of the legislation.

**OEM** means original equipment manufacturer

**OHS Act** means Occupational Health and Safety Act 2000

**OHS Regulation** means the Occupational Health and Safety Regulation 2001

**PPE** means Personal Protective Equipment

**s** means section

**SA09-03** means Safety Alert year of issue – publication number

**SB09-03** means Safety Bulletin year of issue – publication number

**SIL** means Safety Integrity Level

**Sub-Contractor** means a person engaged by a Contractor to perform work on a mine and who is not an employee of the Contractor or the mine

**SWMS** means Safe Work Method Statement or Standard Operating Procedure.

Further references


- Occupational Health and Safety Act 2000
- Occupational Health and Safety Regulation 2001
- Mine Health and Safety Act 2004
- Mine Health and Safety Regulation 2007

**Standards and Guidance Material**

A range of guidance notes and detailed audit checklists on specific issues are available at www.dpi.nsw.gov.au/minerals/safety. Examples of relevant support material are listed for each section of the audit – see ‘Relevant support material’.
Contractor Management Audit Record Sheet

Complete the following details.

Date of Audit: __/__/____

<table>
<thead>
<tr>
<th>Name of Mine:</th>
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</thead>
<tbody>
<tr>
<td>Name of Mine Operator:</td>
<td>Comet ID: (Office use only)</td>
</tr>
<tr>
<td>Name of Auditors and Participants:</td>
<td></td>
</tr>
<tr>
<td>Audit Notes:</td>
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</table>
### 6.1 Contractor management plan (CMP)

The mine safety management plan (MSMP) includes a contractor management plan.

**Relevant legal provisions**
- MHS Act s.30(3)(b)

**Relevant support material**
- DPI Guidance Note 004 Contractors
- Safety Management Plan Workbook
- Minerals Industry Safety Handbook
- NSW Minerals Council Information for principles and contractors in the mining industry
- WorkCover – Subby pack OHS Contractor Management Tool
- SA05-06
- MDG 5003 Guidelines for contractor OHS management for NSW mines

**Example Questions**
- Do you have contractors attend your site?
- Do you have sub-contractors attend your site?
- Do you intend to engage contractors in the future?
- Do you have a contractor management plan included in your MSMP?

**Examples of Compliance Evidence**
- List of contractors, for example:
  - Tyre fitters
  - Fuel suppliers
  - Boilermakers
  - Fitters
  - Drill and blast
  - Haulage
  - Crushing & screening
  - Environmental consultants
  - Electricians
  - Fire protection service providers
  - Pressure vessel inspections
  - Supplier deliveries
- Evidence of contractor management plan that is up to date.

**Notes/Actions**

Rating for audit criteria 6.1

### 6.2 Contractor management plan (CMP) contents

The contractor management plan provides for:-

- the identification of types of contractors to which the type of management plan applies;
- the assessment of the proposed contractor’s OHS arrangements prior to their engagement;
- site induction of contractors, sub-contractors and their employees;
- monitoring of contractors to ensure compliance with the MSMP and relevant OHS legislative requirements;
- communication between the operator and contractors and appropriate consultation with the contractor’s employees.

<table>
<thead>
<tr>
<th>AUDIT CRITERIA</th>
<th>EXAMPLE QUESTIONS</th>
<th>EXAMPLES OF COMPLIANCE EVIDENCE</th>
<th>NOTES/ACTIONS</th>
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<tbody>
<tr>
<td>6.2 Contractor management plan (CMP) contents</td>
<td>Does the mine identify and classify the different types/level of contractors?</td>
<td>Evidence of contractor assessment, performance.</td>
<td>Rating for audit criteria 6.2</td>
</tr>
<tr>
<td></td>
<td>Does the mine safety management plan include details of assessing risks associated with the use of contractors on site?</td>
<td>Evidence that contractors have completed an appropriate induction.</td>
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<td></td>
<td>Are contractors inducted into the mine?</td>
<td>Minutes of meetings</td>
<td></td>
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<tr>
<td></td>
<td>Does the operator assess contractors for compliance?</td>
<td>Compliance audits/inspections of contractors’ activities.</td>
<td></td>
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<td></td>
<td>Do compliance audits and inspections include all relevant programmes in the CMP and MSMP?</td>
<td>OHS meeting minutes, toolbox talks.</td>
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<td></td>
<td>Do contractors have a system of consultation with the operator of the mine?</td>
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</table>

Continued on next page
### AUDIT CRITERIA

#### Relevant legal provisions
- MHS Act s.37-38
- MHS Regulation cl. 29

#### Relevant support material
- DPI Guidance Note 004 Contractors
- Safety Management Plan Workbook
- Minerals Industry Safety Handbook
- NSW Minerals Council Information for principles and contractors in the mining industry
- WorkCover – Subby pack OHS Contractor Management Tool
- SA03-02
- MDG 5003 Guidelines for contractor OHS management for NSW mines

### EXAMPLE QUESTIONS

Does the mine operator have a system of consultation with the contractor and the contractor’s employees?

### EXAMPLES OF COMPLIANCE EVIDENCE

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### NOTES/ACIONS

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### AUDIT CRITERIA

## 6.3 Pre-engagement assessment

The OHS management arrangements of proposed mining work and construction work contractors are assessed before they are engaged and includes:-

- OHS management arrangements of contractor(s) and
- competence of contractor employees and sub-contractors; and
- suitability of equipment, materials and substances.

**Relevant legal provisions**
- MHS Regulation cl. 29(a)

**Relevant support material**
- DPI Guidance Note 004 Contractors
- Safety Management Plan Workbook
- Minerals Industry Safety Handbook
- NSW Minerals Council Information for principles and contractors in the mining industry
- MDG 5003 Guidelines for contractor OHS management for NSW mines
- WorkCover – Subby pack OHS Contractor Management Tool
- SB07-01

### EXAMPLE QUESTIONS

| Has the operator conducted an assessment of risks associated with the use of contractors at the mine? |
| Are contractors’ competences checked before starting work? |
| Is there a system for assessing suitability of contractors’ equipment, materials and substances? |

### EXAMPLES OF COMPLIANCE EVIDENCE

| Documented evidence that the operator assessed the contractor’s OHS management plan as part of the contractor selection process. |
| Copies of risk assessments conducted by the operator on the use of contractors at the mine site. |
| Contract and/or tender documents referring to MSMP. |
| Documented evidence of inspection/assessment of contractor equipment, materials and substances. |

### NOTES/ACTIONS

Rating for audit criteria 6.3

Note: it is suggested that documentation from a number of contracts is assessed as evidence of compliance.
### AUDIT CRITERIA

6.4 Consultation and communication

Before mining work and construction work contractors commence work at the mine, they are consulted to ensure:

- they are familiar with relevant parts of the operator’s Mine Safety Management Plan;
- they are familiar with the operator’s contractor management plan;
- the contractor’s safety management plan is consistent with relevant parts of the Mine Safety Management Plan.

Mining work and construction work contractors are informed of relevant changes to the Mine Safety Management Plan.

**Relevant legal provisions**
- MHS Act s39 & 40(f)
- MHS Regulation cl.29(d)

**Relevant support material**
- MDG 5003 Guidelines for contractor OHS management for NSW mines

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<tr>
<td>How do you determine what parts of the MSMP are relevant for a contractor undertaking work at the mine site?</td>
<td>Record of contractor being provided with a copy of MSMP.</td>
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<tr>
<td>How do you assess whether the safety management plans of contractor’s are compatible with the MSMP?</td>
<td>Minutes/records of meetings/discussions where operator’s MSMP was discussed with contractor(s).</td>
<td></td>
</tr>
<tr>
<td>Are all relevant parts of the operator’s CMP discussed with the contractor(s)?</td>
<td>Evidence of agreement that particular parts or all, of the operator’s MSMP will apply to contractor’s work.</td>
<td></td>
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<tr>
<td>Prior to commencement of work, are contractors consulted to ensure that they are familiar with the relevant parts of the operator’s MSMP?</td>
<td>Evidence of toolbox meetings or safety sessions, MSMP training, induction records.</td>
<td></td>
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<tr>
<td>How does safety information including changes to the MSMP get transferred to contractors?</td>
<td>Evidence of MHS Act, OHS Act and associated Regulations in the induction, contract conditions and assessments.</td>
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</table>

Evidence that subcontractors have been consulted in relevant parts of operator’s CMP.

Rating for audit criteria 6.4
### 6.5 Contractor safety management plans (CSMP)

Contractors that carry out mining work and construction work have provided the mine operator with a safety management plan that addresses OHS issues and includes:

- an assessment of risks associated with the work process;
- the equipment used in the work process;
- the standards or codes to be complied with;
- the records to be kept of the process;
- the competencies of persons doing the work;
- safe work method statements for the work activities having risk.

Has the contractor conducted a risk assessment of the work to be undertaken and equipment used?

Is the risk assessment included in the development of the CSMP?

Does the operator(s) have a process to access and accept the CSMP?

Are amendments to the CSMP submitted to the operator?

Does the CSMP include:

- The names, positions, and specific OHS responsibilities of persons in relation to the contractor’s work.

Examples of contractors’ safety management plans.

Evidence that contractor’s safety management plans are reviewed and accepted by the operator.

Evidence of amendments to the CMP being submitted to the operator.

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<tr>
<td>Any amendments to the contractor safety management plan are submitted to the operator for the operators’ acceptance.</td>
<td>- The arrangements for managing OHS incidents including the means of informing the operator in a timely fashion.</td>
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<tr>
<td>Relevant legal provisions</td>
<td></td>
<td>- Any work specific safety rules that apply to the contractor’s work and arrangements for insuring that all persons involved in the work are informed of the rules.</td>
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<td>- MHS Act s 63</td>
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<td>Does the risk management system direct the contractor to develop SWMS for new or modified tasks?</td>
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<td>Relevant support material</td>
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| 6.6 Contractor safe work method statements | Are SWMS available?  
Have SWMS been developed using a risk management approach?  
Have SWMS been developed for all tasks undertaken by the contractor?  
Are the SWMS developed in accordance with the Safety Management Plan and legislation requirements?  
Are appropriate SWMS used for the work activity?  
Does the contractor use a hierarchy of control measures?  
Have the contractors’ SWMS been reviewed by the operator?  
Does the contractor have a system for re-assessing risks and developing SWMS for non-routine work? | Sight contractor SWMS.  
The SWMS must be current and available at the mine site.  
SWMS approved by relevant person.  
Non-conformance records of SWMS.  
Audits or safety observations of SWMS.  
Evidence that contractors’ SWMS are reviewed by the operator.  
Evidence of risk assessment system for non-routine work for example:  
- Risk management pocket guide  
- Take 5  
- Take 2 etc | Rating for audit criteria 6.6 |

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<tr>
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<tr>
<td>- MHS Act s.64</td>
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<td>- MHS Regulation cl.30</td>
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<tr>
<td>Site induction of contractors</td>
<td>Site-specific induction training is provided for all mining and construction work contractors, sub-contractors and their employees.</td>
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</tbody>
</table>

**Relevant legal provisions**
- MHS Act s.40(e)
- MHS Regulation cl.29(b)

**Relevant support material**
- SA99-13
- MDG 5003 Guidelines for contractor OHS management for NSW mines

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**Examples of Compliance Evidence**

- Induction training resources for example:
  - Manuals
  - Competency tests
  - Videos

- Records of all induction training undertaken by the employees of the contractor(s) and sub-contractor(s).

- Induction includes a section on MSMP.

- Induction includes all relevant issues.

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**Rating for audit criteria 6.7**

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### AUDIT CRITERIA EXAMPLES OF COMPLIANCE EVIDENCE NOTES/ ACTIONS

#### 6.8 Monitoring of contractors

The work activities of all mining work and construction work contractors are monitored to ensure their work activities are carried out in accordance with:

- the MSMP and the contractor’s safety management plan; and
- relevant OHS and MHS Act and Regulation provisions.

**Relevant legal provisions**

- MHS Act s.29 & 40 (a-d)
- MHS Regulation cl. 29(c)

**Relevant support material**

- Minerals Industry Safety Handbook
- Safety Management Plan Workbook
- SB07-01, SA06-17, SA01-12
- MDG 5003 Guidelines for contractor OHS management for NSW mines

**How do you assess whether contractors are complying with the MSMP and legislative provisions?**

- Evidence that the operator obtains and reviews written contractor and sub-contractors’ SWMS.
- Inspection/audit plan or timetable including nominated persons conducting inspection/audit.
- Task observations.

**Does the operator:**

- Inspect contractors’ workplaces?
- Audit the contractor?
- Carry out a SWMS compliance audits?
- Inspect the contractors’ equipment?
- Audit contract specifications?

**How does the operator deal with non compliances by contractors of the MSMP or CMP?**

- Corrective actions identified by operator and implemented by contractor.
- Records of contractor directed to stop work.

**Evidence that the operator obtained and reviewed written contractor and sub-contractors’ SWMS.**

- Inspection/audit plan or timetable including nominated persons conducting inspection/audit.

**Task observations.**

- Copies of hazard reports or incident reports from contractors.

**MSDS Register**

- Copies of MSDS’s

**Inspection checklists.**

- Audit documentation.

**Corrective actions identified by operator and implemented by contractor.**

- Records of contractor directed to stop work.

**Rating for audit criteria 6.8**

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**Mine Safety Operations**  
Document controller: John Moss  
TRIM ref: OUT09/9955  
Version 1.6 (August 2009)
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<tr>
<td></td>
<td>Does the operator have a system for recording and following up on its outcomes of inspections and audits?</td>
<td>Interview record confirming direction to stop work.</td>
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<td></td>
<td>If so what action did the operator take?</td>
<td>Copies of incident reports submitted by the contractor to the operator.</td>
<td></td>
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<tr>
<td></td>
<td>Does the contractor submit incident reports to the DPI through the operator?</td>
<td>Copies of DPI incident reports submitted by the operator that concern contractor work activities.</td>
<td></td>
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<tr>
<td></td>
<td>Does the operator check the adequacy of contractor’s informal risk assessments?</td>
<td>Evidence of informal risk assessments reviewed and signed by mine operator.</td>
<td></td>
</tr>
</tbody>
</table>
Feedback sheet

Your comments will be very helpful in reviewing and improving this Contractor Management Audit Checklist document.

Please copy and complete the Feedback Sheet and return it to:

Central West Area Manager  
Mine Safety Operations
NSW Department of Primary Industries
Locked Bag 21
Orange NSW 2800
Fax: (02) 6360 5363
Phone: (02) 6360 5333

What do you find least useful?

________________________________________________________________________

________________________________________________________________________

Do you have any suggested changes to the document?

________________________________________________________________________

How did you use, or intend to use, this document?

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

What do you find most useful about this document?

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Thank you for completing and returning this Feedback Sheet.