Part C: For Contractors and Subcontractors

This part is for use by Persons Conducting a Business or Undertaking (PCBUs) who undertake activities that impact Vulnerable Road Users in the road environment. This may include but is not limited to roading contractors, civil contractors, utility service providers, upright and construction companies.

This part is also for Subcontractors, including specialist Temporary Traffic Management Subcontractors.

This part includes information on responsibilities and the need to integrate TTM planning into work planning as soon as possible.

This part includes the following guidance:

The following appendices are relevant to this part:

Part C: For Contractors and Subcontractors

Contractors are responsible for **carrying out the work agreed upon with the client, ensuring it is done safely and to the correct standard.**

Contractors hire subcontractors to do **specific tasks or provide services** within that work, often bringing special skills to the project.

In some cases, subcontractors are specialists in TTM and provide that expertise to contractors, including TTM design, equipment, site supervision, and field staff.

Contractors (and Subcontractors) MUST:

- Ensure the health and safety of everyone affected by the work, doing what is reasonably practicable to manage risks[25, Section 36].
- Work with all involved parties to manage safety and other overlapping duties[25, Section 34].
- Managing risks following the **Hierarchy of Controls**[24, Section 6].
- Engage with workers on health and safety matters [25, Section 58].
- Provide adequate training, instruction, and supervision to workers so that health and safety risks can be managed[25, Section 36(3)(f)].
- Ensure the ongoing effectiveness of any control measures put in place to manage risk[24, Sections 7 & 8].
- Not discriminate against any person due to their age or the presence of any disability[26].
- Not compromise the effectiveness of any measures at rail crossings[51].
- Seek approval from the Road Controlling Authority (RCA) before installing any traffic control device in the road environment[32, Section 3.2(2)].

Contractors (and Subcontractors) SHOULD:

- Engage in proactive steps to enhance health and safety at the worksite.
- Utilise a centralized prequalification system for easier vetting of potential sub-contractors.
- Ensure regular site inductions and safety briefings, like toolbox talks, are conducted.
- Foster a culture of continuous improvement in health and safety outcomes.
- Work closely with sub-contractors to develop and maintain a health and safety plan.
- Participate in a project's initial risk management planning wherever reasonably practicable.
- Maintain open communication with other contractors, sharing contact details and critical information.
- Alert the contractor or the contracting PCBU when control measures need adjustment or resources need reallocation to uphold health and safety standards.

Responsibilities and Duty of Care

Robust VRU-Specific Risk Assessment Process: Embed detailed risk assessment for vulnerable road users as part of the overall TTM and job/project-wide risk assessments. This way, the approach to finding and reducing risks for VRUs is tied to the overall project safety goals.

Checking Control Measure Effectiveness: Set up a well-documented process to check how well the control measures for VRU safety are working. This should include regular checks and collecting data to see if the measures are doing their job or need to be changed to reduce risks more.

Worker Engagement: Talk with workers when choosing control measures to handle risks, especially for VRUs. By getting ideas from those on the ground, a better and more shared approach to handling overlapping duties can be reached.

Talking and Planning with Other PCBUs: Create straightforward ways for talking, planning, and working with other PCBUs involved in the project. This includes making sure subcontractors are part of the planning and decision-making on how risks will be handled.

Talking to the Community and Other Stakeholders: Set up a structured way to talk with the community and other external stakeholders to understand the needs and concerns of VRUs. Use this feedback to help decide how to manage risks, ensuring VRU safety within TTM setups is better and more inclusive.

Planning work with TTM and Vulnerable Road Users in mind

Refer to **Appendix C** for a tool for aligning activity planning, TTM planning, and VRU safety

Good planning is vital to ensuring vulnerable road users stay safe while work is done on roads.

Often, contractors plan how to do their job first and think about temporary traffic management later[56].

This can lead to **missed chances to make things safer** and more accessible for people on foot, bikes, or disabled people.

For example, if a contractor plans to block a bike lane for a long time, they might not consider allocating space for a **temporary bike lane nearby** if they plan traffic management too late.

Also, **understanding the specific people that use the space you are working in** is essential. For instance, if a school is close to the worksite, there will be many young pedestrians, which means extra safety steps are needed.

Contractors and subcontractors can maximise the safety of VRUs during planning by:

Plan Together: Start planning traffic management at the same time as planning the work tasks. This way, you can make sure both plans work well together to keep VRUs safe.

Know the Local VRUs: Talk to local groups or authorities to learn about the VRUs in the area and how they move around. Make sure your methodology can meet their needs.

Check VRU Risks Early: Look for risks to VRUs early in the planning. Identify dangers and come up with ways to manage them that fit well with the work plan.

Be Flexible in Work Plans: Work plans that can change to meet traffic management requirements. For example, doing work during quieter times can reduce disruptions for VRUs.

Keep Talking to VRUs: Set up ways to get feedback from VRUs and others to learn how well traffic management works. Use this feedback to adjust your plans if needed.

Apply the Hierarchy of Controls: Utilise the Hierarchy of Controls to systematically address VRU safety during planning. Aim first to eliminate risks, then implement engineering, then administrative measures, ensuring a thorough yet simplified approach to enhancing VRU safety.

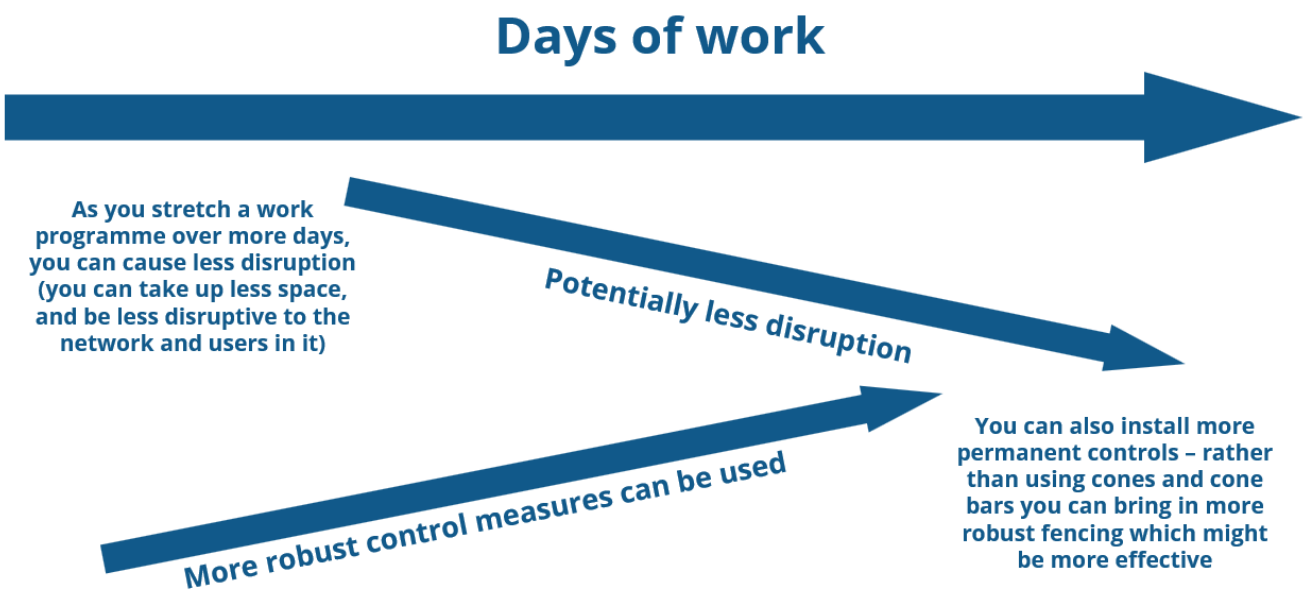
Balancing Time and Disruption: A Closer Look at Control Measures

Planning activities in the road environment and the associated traffic management requires a careful balance between the **time hazards are present** and the **disruption to road users**, especially people on foot or using wheeled devices.

The longer a hazard exists, the more chance for incidents.

However, reducing hazard duration might lead to more disruption, like detours or closed lanes, which can also be risky.

This page delves into the relationship between **time**, **disruption**, and the **effectiveness of control measures** for safeguarding vulnerable road users.



Scenario 1	Scenario 2	Scenario 3
Short and sharp work period High disruption to road users Control measures have to be easily movable to install and remove quickly	Moderate work length, allowing for installation of some more robust controls, but still there is some disruption to VRUs and some discomfort for those users	Much extended work period Low disruption to road users, thanks to the installation of more permanent controls that retain maximum existing facility useage.

Neither of these scenarios is 'best'. It depends on the level and type of risks involved

A short and disruptive option may have less overall risk due to less duration of exposure.

However, there may be much higher risk due to the impact on road users and potential for very severe harm.

The longer the operation, the more days of total exposure. Increasing the length of the project may increase the amount of risk overall in some cases.

Due to the lower disruption and more robust control measures – the risk to road users, especially VRUs, could be considerably lower across the length of the work.

Time, disruption, and the ability to use more permanent control measures is a trade off in each case. Planning should evaluate options across the spectrum and chose the solution that has the lowest total risk for all involved.

Training and Competency

The Health and Safety at Work Act (HSWA) requires the right information, training, instruction, and supervision to be provided to ensure everyone's safety[25, Section 36(3)(f)].

This means that staff involved in TTM need **specific, detailed training about VRUs** (where they are at risk), how they interact with TTM setups, and the risks involved.

Current training, like NZQA unit standards associated with TTM roles and the Waka Kotahi training and competency model[74], **do not cover VRU safety in detail.**

This leaves a gap that Contractors and Subcontractors should fill by creating and providing **specialised training on VRU safety.**

If your workers are simply qualified as a TTM Worker, Traffic Management Operative (TMO), or STMS and have had no other specialised training – **you are not doing enough to ensure they are adequately trained** to manage risk in TTM environments – especially those associated with vulnerable road users.

If workers have not had VRU-specific training, they should be **supervised closely.**

It is up to Contractors and Subcontractors (the PCBU who employs those workers) to ensure this **training or supervision is provided, recorded, and aimed at reducing risks to VRUs.**

Employers can use the curriculum guidance on the next page to explore whether staff involved in assessing and managing risk relating to vulnerable road users are **suitably trained and competent.**

It is crucial to understand that this list is not exhaustive but outlines core areas of knowledge and skills indispensable for those tasked with VRU safety in TTM design or on-site management.

Not all curriculum items will be relevant to every worker. The applicability of these training components varies based on the roles and tasks each worker undertakes within the TTM systems.

Foundational Curriculum for Keeping Vulnerable Road Users safe in TTM environments
Understanding Vulnerable Road Users (VRUs): • Who are VRUs? (pedestrians, cyclists, motorcyclists, and people with disabilities). • What unique needs and challenges do VRUs have in traffic?
VRU Interaction with Temporary Traffic Management (TTM): • How do VRUs move through TTM setups? • What risks and hazards might VRUs face in TTM zones?
Legislative Framework: • What does HSWA say about VRU safety? • Other local and national laws impacting VRU safety in TTM.
Risk Assessment and Management for VRUs: • How to identify and assess risks for VRUs in TTM. • How to create and use control measures to lessen VRU-related risks.
Designing VRU-friendly TTM Setups: • How to plan TTM setups that consider the safety and mobility of VRUs. • Best practices in creating VRU-friendly TTM setups.
Engagement and Communication: • How to engage with local communities and VRU groups effectively. • How to communicate safety measures and disruptions to VRUs and the community.
Monitoring, Review, and Continuous Improvement: • How to check if VRU safety measures are working. • How to collect, review, and use feedback from VRUs and others.
Emergency Response and Incident Management: • How to prepare for and respond to incidents involving VRUs. • How to report and investigate VRU-related incidents to avoid them in the future.
Supervisory Skills for VRU Safety: • Training for supervisors on overseeing VRU safety measures. • Building a culture of safety and responsibility among the team.

Ongoing Training and Competency Verification

Maintaining Competency: Ensure a system for regular competency checks, like refresher courses or on-the-job assessments, to keep VRU safety skills sharp over time.

Continuous Learning: Stay updated with evolving TTM methodologies, technological advancements, and legislative changes to keep training relevant and effective.

Feedback Loop: Foster a culture where field experiences, especially near misses or incidents, are shared and used to refine training programs, enhancing VRU safety in future TTM setups.

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