



Priority Start Policy Fact Sheet 3 – Head Contractors

What are the head contractor's responsibilities?

To comply with Priority Start, head contractors must:

- **meet the target training rate** for each reporting period;
- **ensure their subcontractors are aware** of the policy and their obligations;
- **collect information from all subcontractors** used on the contract to calculate the training rate;
- **calculate the training rate** using the **combined Western Australian construction trades workforce** of their company and subcontractors used for the contract. All subcontractors should be included in the report, however the workforce is included only if it employs in-scope construction trades workers working in WA. The policy does not require each contractor to individually meet the target training rate. This allows head contractors to engage companies that have training rates above and below the target training rate;
- **submit a Head contractor Priority Start report** annually to the government contracting agency for the duration of the contract and upon completion of the contract;
- **keep supporting information** used to calculate the construction trades workforce, including apprentices and trainees who worked for their company and all the subcontractors used for the contract, for a minimum of two years from contract completion; and
- **participate in audits** and address any compliance issues, as required.

What is the head contractor's target training rate?

The target training rate is the required proportion of construction trades workers who are apprentices and trainees, in the occupations in scope of the policy, and working in WA for the head contractor and the subcontractors used for the contract. Only in-scope construction trades workers, apprentices and trainees are included, not the entire workforce of the companies.

The following target training rates apply:

- 11.5% for general building construction and maintenance contracts; and
- 5% for civil construction contracts.

For further information on the training rate and the lists of in-scope construction workers, apprentices and trainees, please refer to the fact sheets on the Department's Priority Start website page at dtwd.wa.gov.au/prioritystart.

Can there be variations to the target training rate?

Yes. Head contractors can make a request to the government contracting agency to vary the target training rate if there are exceptional circumstances which make it unlikely the rate will be met.

Such circumstances could include where:

- a significant proportion of the contractors' work is undertaken in:
 - regional and/or remote areas; and/or
 - high risk industries that do not allow apprentices/trainees on worksites due to occupational health and safety risks; and
 - limited or no construction work is undertaken during a particular stage/year of the contract.

A compliance panel consisting of government contracting agencies will consider requests to vary the target training rate. An appeals panel can review decisions made by the compliance panel.

Are all subcontractors used for the contract in scope of Priority Start?

Yes. All subcontractors used for the contract are in scope of the policy. All subcontractors must submit a Subcontractor Priority Start report to their head contractor each reporting period, providing details of their in-scope construction trades workers, including apprentices and trainees. If they do not have any in-scope construction trades workers, the subcontractor should indicate this in their report.

Please note: manufacturers and suppliers of materials are not in scope of the policy.

Which construction workers are included in the target training rate calculation?

To be included in the **training rate calculation** in a reporting period, the construction trade worker must be:

- in scope of the policy;
- employed by the head contractor or a subcontractor working on the contract; and
- working in WA during the reporting period, (workers do not have to be working on the project site or on work related to the project).

Noting:

- it does not matter for how long the construction worker, apprentice or trainee has been employed by the contractor;
- apprentices and trainees must have a registered employment contract in WA, and be in training during the reporting period;
- apprentices and trainees can be employed directly by the contractor, through a group training organisation (GTO) or a skill/labour hire company; and
- construction trades workers do not have to have a trade qualification.

What are the head contractor's reporting requirements?

Head contractors are required to report to their government contracting agency annually on the date agreed to by both parties, as per the contract. Head contractors must report:

- the number of in-scope construction trades workers, apprentices and trainees working for them and the subcontractors being used on the contract;
- the names and ABNs of all subcontractors working on the contract; and
- their estimated training rate.

Head contractors are encouraged to check their estimated training rate at regular intervals to ensure they are on track to meet the target by using the Priority Start report for head contractors and subcontractors available on the Department's Priority Start website page at dtwd.wa.gov.au/prioritystart.

What do the subcontractors include in their report?

Subcontractors need to provide their entire in-scope apprentice, trainee and construction trades workforce figures for the **whole reporting period**, not just the period in which the subcontractor worked on the contract. Subcontractors must also include details of GTO or skill/labour hire companies, if applicable.

For example: A head contractor's reporting period is 1 July 2022–30 June 2023. Subcontractor A is engaged to work with the head contractor from 16 November 2022–30 January 2023. Subcontractor A needs to provide their total in-scope apprentice, trainee and construction trades workforce figures for the period 1 July 2022–30 June 2022.

When are the training rate reports submitted?

Head contractors must submit a report to the government contracting agency once every 12 months, as per the contract, and upon completion of the contract. Generally, dates are as follows:

- at the end of the financial year (for contracts issued by Department of Housing and Works);
- on the contract anniversary date (for contracts issued by Department of Transport, Main Roads WA and Public Transport Authority); or
- an alternative date negotiated with the government contracting agency.

How do I employ an apprentice or trainee?

For information on how to employ an apprentice or trainee and the incentives available, contact:

- Jobs and Skills Centres on 13 64 64 or jobsandskills.wa.gov.au;
- Australian Apprenticeship Support Network on 13 38 73 or australianapprenticeships.gov.au; or
- Construction Training Fund (for incentive information) on 9244 0100 or ctf.wa.gov.au

Further information

The Department of Training and Workforce Development provides information on Priority Start. Visit dtwd.wa.gov.au/prioritystart for more information.