

Safe Management of Contractors Policy

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| **Date** | **Review Date** | **Coordinator** | **Nominated Governor** |
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# INTRODUCTION

* 1. Holden Clough Community Primary School accept the statutory responsibility for maintaining the health, safety and welfare at work of its pupils, employees, visitors and others by the way it conducts its undertakings. Likewise, all activities undertaken for or on behalf of Holden Clough Community Primary, must be carried out in accordance with all relevant legislation and all reasonably foreseeable risks reduced as low as is reasonably practicable.
	2. This policy covers all Holden Clough employees involved in the selection, monitoring and review, of contractors and sub-contractors and all those in agreeing and planning the work of a contractor.

# LEGISLATION

* 1. Holden Clough Community Primary School acknowledges the requirements of: -
		+ The Management of Health and Safety at Work Regulations 1999
		+ The Control of Asbestos Regulations 2006
		+ The Health and Safety (Display Screen Equipment) Regulations 1992
		+ The Manual Handling Operations Regulations 1992
		+ The Provision and Use of Work Equipment Regulations 1998
		+ The Control of Substances Hazardous to Health Regulations 2002
		+ The Construction (Design and Management) Regulations 2007
		+ The Lifting Operations and Lifting Equipment Regulations 1998
		+ The Noise at Work Regulations 2005
		+ Health and Safety (First Aid) Regulations 1981
		+ The Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995
		+ The Regulatory Reform (Fire Safety) Order 2005

which supplements the general obligations contained within the Health and Safety at Work etc. Act 1974. Section 3.1 of this Act deals with the general safety responsibility of employers towards other persons who are not in their employment. Recent case law has reinforced the need for close liaison and agreement between both the client and the contractor’s employees as regards the systems and methods of work adopted by the contractor.

# SCOPE

* 1. This policy applies to all persons engaging the services of a contractor. The scope of the contract should be clearly defined and all contracts must be made in accordance with Tameside MBC rules.

# DEFINITION OF TERMS

* 1. Contractor: any person(s) that Holden Clough Community Primary School engages to undertake work who is not an employee of the school or Tameside MBC.
	2. Sub Contractor: any person(s) that the main contractor engages to undertake work who is not an employee of the main contractor. The relationship between the main contractor and the sub-contractor will be governed by the contractual arrangements into which they have entered.
	3. Client: the person for whom a project is carried out, whether it is carried out by a contractor or department from within the County Council.
	4. Construction Work: the carrying out of any building, civil engineering or engineering construction work and includes: -
		+ The construction, alteration, conversion, fitting out, commissioning, renovating, repair, upkeep, redecoration, maintenance (including cleaning involving the use of water/abrasive at high pressure or corrosive /toxic substances), de-commissioning, demolition or dismantling of a structure.
		+ Preparation, site clearance, exploration, investigation (but not site survey), excavation, foundation work and some highway maintenance systems
		+ Assembly or disassembly of prefabricated units forming a structure
		+ Removal of structures or part of a structure or waste resulting from demolition, dismantling or disassembly of structures or parts of structures
		+ Installation, commissioning, maintenance, repair removal of mechanical, electrical, gas, compressed air, hydraulic, telecommunications, computer or similar services which are normally fixed within or to a structure.
	5. Non Construction Work: There are many different types of contractor employed by Holden Clough Community Primary School that do not undertake construction work e.g. window cleaners, grounds maintenance, transport work etc. The principles of this policy must be applied to all contractors.
	6. Competence: For the purpose of this policy a competent person can be described as “*“A person shall be regarded as competent where he has sufficient training, experience, knowledge and other qualification to enable him to properly undertake the activity without any assistance.“*
	7. Risk Assessment: A risk assessment is the procedure for identifying the level of risks and hazards, which may exist in order to introduce procedures to eliminate, reduce or control the risk to injury.
	8. Method Statements: A method statement should be based on the assessment of the risk to the health and safety of employees and others who could be affected by the work. The method statement is a step-by-step guide of how the work is to be undertaken in a safe manner.

# POLICY

* 1. In recognition of the fact that the number of contractors operating within our workplace is continually increasing, this policy will assist in the safe management of those contractors.
	2. It is the policy of Tameside MBC that: -
		1. All contractors conduct their activities in such a manner that conditions and methods used are safe for the contractor’s employees, TMBC, Holden Clough Community Primary School and any other person who may be affected.
		2. Only competent contractors are to be employed to carry out work for or on behalf of Holden Clough Community Primary School and TMBC. Suitable checks of the contractor’s health and safety competence must be made before employing any contractor*.* This can be achieved by requesting copies of all appropriate qualifications and relevant training documentation, copies of the method statements for the tasks to be carried out and all relevant risk assessments. Some departments may wish to use a Health and Safety Questionnaire to establish competence and upon completion of the questionnaire develop an approved list of contractors. An example of a basic contractors Health and Safety Questionnaire can be found in Appendix 2.
		3. All relevant health and safety information must be communicated between each school and the appointed contractor.
		4. Responsibility for safe working cannot be left entirely to the contractors or sub- contractors. The client has the duty to ensure, as far as is reasonably practicable, that contractors have safe working procedures, risk assessments and method statements and also adhere to them.
	3. This policy does not in any way relieve the contractor of his responsibilities or duties under statute and common law.
	4. No matter how small the job or activity is, or how quickly it needs to be done, health and safety must be considered from the moment the need for the job is identified. Successful control and management of contractors may be achieved in five steps: -
1. Planning the work or task
2. Selecting a competent contractor
3. Control of contractors
4. Supervising and monitoring
5. Review

# PLANNING THE WORK OR TASK

* 1. Successful use of contractors requires effective management and planning. Health and safety aspects need to be considered at the planning and design stage.
	2. Risk assessments will still be required even though the department of the initiating manager will not carry out the work. This is to be interpreted using the following guidance:-
		+ The manager’s own department is to carry out the work – that department is responsible for the risk assessments
		+ Another department is to carry out the work – that other department should carry out the risk assessments
		+ A contractor is to carry out the work – the contractor should carry out the risk assessments.
	3. Hazards identification will form an integral part of the risk assessment process and as a minimum the following should be considered: -
		+ Asbestos materials
		+ Chemical storage and the safe use of
		+ Noise and disturbance
		+ Working at heights
		+ Working in excavations
		+ Underground, overhead and other hidden services e.g. gas, electricity and fuel supply
		+ People including employees, contractors, visitors, pupils, clients, residents and members of the public
		+ The use of plant and equipment
		+ Safe access and egress for personnel, plant and equipment
		+ The provision of effective safety signage
		+ Clear separation between the work area and others
		+ The emergency procedures
		+ The provision of training, information, instruction and supervision for those affected
	4. The above is non-exhaustive.
	5. The above and any other hazards identified should be discussed with the contractor at the design and planning stage to ensure that the risks are reduced to an acceptable level. Contractors must ensure that all relevant information is brought to the attention of all employees and sub-contractors affected by the work.
	6. Risk assessments must be produced as a minimum for every job or task, which is contracted and may be accompanied by detailed method statements for all work processes. The detail must be proportionate to the risk involved in the task.

# SELECTING A COMPETENT CONTRACTOR

* 1. Holden Clough Community Primary School staff appointing contractors must be satisfied that the contractor is competent and has, so far as is reasonably practicable, considered all potential health and safety issues and secured adequate provision for their control. The staff appointing contractors shall stipulate that school and TMBC shall exercise their rights to suspend any activity, which it feels endangers the health and safety of any employee, contractor, visitor, pupil, clients or member of the public.
	2. Where contractors will be deployed to work activities that enable them to have unsupervised access to children the contractor and all persons who will be employed by the contractor must be the subject of DBS checks.
	3. The following health and safety information must be obtained from the contractor prior to the commencement of any activity: -
		+ Ensure that the contractor is competent and that if sub-contractors are to be used how does the main contractor ensure the competence of his sub- contractors
		+ Specific risk assessments for the tasks
		+ Method statements detailing how the activity will be carried out in a safe manner must be provided if identified by the risk assessment process.
	4. The above list is the minimum standard. Additional health and safety information may be requested at the discretion of the department appointing the contractor and should be commensurate to the risks associated with the project. If the contractor is to perform the same tasks in a similar environment within the department then generic risk assessments may be satisfactory and will not be required every time they undertake that task.

# CONTROL OF CONTRACTORS

* 1. From the first day at school to the completion of the work, contractors can present risks to staff, pupils, clients, visitors and members of the public. By implementing the following guidelines these risks can be effectively reduced:
		1. All contractors must sign in and out of school premises and a visitor pass shall be issued.
		2. Site manager shall liaise with the relevant contractor and monitor their health and safety standards. The level of supervision must be provided on a risk priority basis.
		3. Site manager should also liaise with the Health and Safety Coordinator/Officer when health and safety advice is required in the work undertaken by the contractor.
		4. Details of all known asbestos and the information contained within the asbestos register and completed surveys must be communicated to all contractors .
		5. Ensure that the site manager and the contractor keep each other informed about hazards and changes to plans or systems which may affect health and safety.
		6. Ensure good communications are maintained between staff e.g. if the Headteacher or site manager is unavailable (sick, on holiday etc.), who will liaise with the contractor?
		7. Ensure that the school rules are communicated to all contractors e.g. No smoking, fire procedures, hazardous substances etc.
		8. Ensure that all accidents to contractors working at Holden Clough Community Primary School projects or premises are reported using the Accident Recording System.
		9. Frequency of visits to contractors sites should be determined by:
			+ The nature of the work
			+ The degree of hazard and risk
			+ The perceived expertise of the contractor and willingness to follow agreed procedures.
		10. Records of supervisory visits should be maintained, a copy of any adverse comments concerning the contractors work or working practices should be passed to the contractor as soon as practicable.
		11. Appointed staff must not ignore breaches of safe working practices, they are obliged to notify contractors of any deficiencies and require remedial actions forthwith. If supervisory staff consider the practice poses imminent danger then the contractor should be ordered to cease working.
		12. There are obviously times when the control of contractor is extremely difficult e.g. where specialist knowledge is required, equipment that is specific to the contractors area of work, callout to reactive repairs and burst pipes in the middle of the night etc. It is advised that the site manager consults with the Headteacher. For the control of contractors within a School environment please see Appendix 1.

# SUPERVISING AND MONITORING CONTRACTORS

* 1. Although contractors are responsible for supervising their own work and ensuring they carry out their activities in a safe manner, the school still has a legal duty to monitor and supervise the work. This step is absolutely critical in the management of contractors. The work must be adequately monitored and supervised to ensure that safe methods of working are being adopted and to ensure the work is progressing appropriately. Any changes or unforeseen circumstances need to be assessed and the appropriate control measures implemented to resolve the situation. A competent person must carry out all monitoring.
	2. Where monitoring identifies an unsatisfactory situation, immediate actions must be taken to rectify the situation and if necessary suspend work until the situation is rectified. The person carrying out the monitoring must be empowered to suspend the work. All actions taken must be recorded and work should not recommence until

it can be carried out safely and in accordance with their method statements and risk assessments.

# REVIEW

* 1. A completion visit, with the contractor, to ensure the work has been properly completed and that the site has been left in a safe condition is essential.
	2. A review of the work and the contractor’s health and safety performance should be conducted. The contractor should be involved in the review, they should know if they have to improve.
	3. The results of the review should be recorded for future reference.

# APPENDIX 1

**CHECKLIST**

This checklist can be used as a quick guide to ensure that you are complying with legislation and fulfilling all requirements of this policy.

# Self-help Scheme

1. Have you appointed a competent contractor and sub-contractors, using Appendix 2 to obtain all relevant documentation?
2. Have you followed all processes in the policy?
3. Have you notified your appropriate H&S Team?
4. Does the manager of the project have the appropriate competence?

# Managing Contractors

1. Do you have an appropriate signing in and out process for contractors?
2. Do you have a nominated competent person to liaise with the contractor and monitor activities?
3. Has all relevant information been communicated to the contractors e.g. asbestos documentation, prohibited areas, emergency procedures etc.
4. Has all relevant information been shared with other building users/other contractors on site to ensure any additional controls have been considered, where applicable?
5. Has all relevant information been made available to you e.g. risk assessments, method statement etc.?
6. Has all relevant information been communicated to the contractors e.g. asbestos documentation, prohibited areas, emergency procedures etc.?
7. Has a completion visit and review of the work been undertaken?
8. Have any accidents/incidents/near misses been reported and recorded appropriately?
9. If action has been taken to rectify an unsatisfactory situation or unsafe practice, has this been recorded?

# Supervision and Monitoring of Contractors

1. Have they parked safely without causing an obstruction?
2. Have they signed in on arrival?
3. Are they wearing an identity badge while on site?
4. Have they liaised with the designated responsible contact person, where applicable?
5. Are they adhering to any building policies and procedures e.g. no smoking, prohibited access etc.?
6. Are they working in accordance with their method statement and have implemented all control measures in their risk assessments.
7. Are they using warning notices and barriers where appropriate?
8. Are they using suitable equipment sufficient for the job?
9. Are they using appropriate personal protective equipment where necessary?
10. Are they adhering to building evacuation and emergency procedures?
11. Are they leaving work areas in a tidy, safe condition removing all waste?
12. Have they signed out before leaving the building?

When work has stopped for the day, have contractors;

1. Secured fencing/barriers to prevent access?
2. Removed ladders so that they cannot be used.
3. Securely covered or fenced off excavations/openings.
4. Immobilised plant and equipment to prevent unauthorised use.
5. Stacked and stored materials safely?
6. Securely stored and locked away flammable or dangerous.

Signed………………………………………(for the Governing Body) Date………………………

Signed………………………………………(Head) Date……………………...

# APPENDIX 2

**QUESTIONNAIRE**

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| **MANAGING CONTRACTORS HEALTH & SAFETY QUESTIONNAIRE** |
| 1 | Please provide a copy of your company Health and Safety Policy’s statement of Intent. (Statement only not entire policy, signed /dated by Director or Partner) |
| 2 | Please provide an organisational chart showing health and safety responsibilities for your company, both nationally and/or, if applicable, detailing local establishment, down to specific site management. |
| 3 | Who Provides health and safety advice to your Company? Show whether this is an in-house provision or through external consultants and provide details of their competence (showing qualification and experience of individuals) |
| 4 | Please provide details of your health and safety training programme for operational employees. (include a sample of current training records and future programme) |
| 5 | Please enclose copies of generic risk assessments |
| 6 | Please enclose copies of a recent scheme specific risk assessments |
| 7 | Please provide a recent example of a completed site safety inspection form |
| 8 | Please provide a copy of your accident/incident report form. Accident figures for the last three years should be entered below.Accident Figures (last 3 years) |
|  | Year Ending Total Employees Fatalities Reportable\* |
|  | \* All reportable accidents including fatalities, major injuries, dangerous occurrences and over 3 day injuries |
| 9 | Has your company been served with an enforcement notice or been prosecuted in the pasty three years for breaches of health and safety legislation. If YES please provide details |
| 10 | Please provide details of how sub-contractors are Managed? |
|  | The information provided within this questionnaire is accurate at the time of submission. To be signed by the Director or Health and Safety Manager/Officer.Signed:…………………………. Date:…………………………………… Position:……………………………………………………………………… |