

IWC POLICY – MANAGING CONTRACTORS’ HEALTH & SAFETY

1. INTRODUCTION

The I W Council recognises its responsibility for managing health and safety issues when using contractors. The I W Council will ensure, so far as is reasonably practicable, that all contractors who undertake work on its behalf are selected, co-ordinated, controlled and monitored to ensure that any risks to the health and safety of its employees, service users and members of the public are minimised. The persons responsible for the implementation of this policy are Directors, and the co-operation of all managers and employees is essential to its success. This policy should be read in conjunction with the additional guidance set out in the relevant section of the I W Council Health and Safety Manual.

2. ARRANGEMENTS FOR SELECTING CONTRACTORS

The I W Council will only use contractors who have provided evidence of satisfactory health and safety policies and procedures, which, if followed will ensure that they can carry out their work while safeguarding their employees and any other persons who may be affected by their undertaking. This will be controlled by the use of approved lists of contractors. No contractor will be permitted to carry out work on behalf of the Council on any contract, unless it has satisfied the Council of its competency to undertake the work through the completion of the Contractor Evaluation Form (See HS2.04 form) and the provision of any other information that may be required of it. Each Directorate will maintain an up-to-date list of approved contractors and sanctions will be applied as a result of poor health and safety performance, these may include written warnings, suspension, financial penalties and removal from the approved list.

3. CO-ORDINATION AND CO-OPERATION

Visiting contractors will be less familiar with the workplace and work activities than the occupants are, therefore it is necessary to ensure that any risks which arise from the occupiers’ work are made known to the contractor and they are made aware of the control measures in place. In addition to responsibilities which both client and contractor have under the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999 require co-operation between occupiers, employers and contractors, including the self-employed. This will entail mutual exchange of risk assessments, preventive measures, safety rules and emergency procedures. Where the specification of a contract or the agreed method of working changes, that work will not commence until all the health and safety implications have been addressed and a safe system of work agreed.

4. MONITORING

The I W Council will divide all contract work into classifications of high, medium and low risk, dependent on the potential consequences of the failure of safety systems. For the purpose of this policy contract work will be divided as follows:

High Risk Work that in the event of the failure to adopt good health and safety practice could result in the death or serious injury of the contractor, employee of the I W Council, service users, visitors or members of the public.

Medium Risk Work where an accident or incident could result in a non-fatal injury to the contractor, employee of the I W Council, service users, visitors or members of the public.

Low risk Work where incidents or accidents would have a negligible affect on the contractor, employee of the I W Council, service users, visitors or members of the public.

In every Directorate, Contract Monitoring Officers will monitor, on a random basis, 4% of all high-risk contract work, 2% of medium risk work and 1% of all low risk contract work. Where the Construction (Design and Management) Regulations apply to contract work, separate provision will be made to ensure that the requirements of that legislation are met. A record will be kept of all monitoring visits made using the contract monitoring report form, with copies held in each Directorate by the Safety Liaison Officer. Each Directorate will review the health and safety performance of all contractors biennially and produce an annual contract-monitoring programme.

5. INFORMATION AND TRAINING

Employees who are required to monitor contracts will be given the necessary information, instruction, training and supervision to enable them to be competently recognise the hazards and assess the risks, which may arise from the work they are expected to monitor. Training needs should be assessed in the individual's personal development plan. Where necessary staff undertaking monitoring will refer any matter beyond their capability to the Council's Health, Safety and Welfare Assistance Section. All employees are required to report any concerns regarding contract work to management and to co-operate with this policy to ensure safe working.

6. SUMMARY

With the I W Council concentrating on its core business, it is becoming increasingly dependent on contractor services. To be cost effective and safely managed it is important to put effective management control in place. The three most important steps are:

- A. The selection of competent contractors, who are able to demonstrate effective health and safety management systems and safe working procedures.
- B. Ensuring good co-operation between occupiers of premises and contractors, in particular, the exchange of health and safety information.
- C. Effective monitoring procedures that evaluate health and safety performance identify failings and address them promptly.

CONTRACTORS

The term contractor is applied to those who carry out a task on behalf of a client; this may entail visiting premises of others, often in connection with the repair, maintenance, refurbishment or installation of plant and equipment. Contractors also now perform many functions for the I W Council such as catering, work on the highway, grounds maintenance, and the provision of care services to name a few.

Visiting contractors are will be less familiar with the workplace and work activities than the occupants are, therefore it is necessary to ensure that any risks are made known to them and that effective control measures are in place. In addition to responsibilities which both client and contractor have under the Health and Safety at Work Act 1974, The Management of Health and Safety at Work Regulations 1999 requires co-operation between occupiers, employers and contractors, including the self-employed. This will entail exchanges of information where risk assessments have identified the need for precautionary measures and, where safety rules and emergency procedures exist.

Within the Isle of Wight Council contractors can be divided into three groups:

1. Those who are carrying out building works on a short-term contract (usually arranged centrally by Property Services).
2. Longer-term contracts such as cleaning services, school meals, grounds maintenance etc.
3. Small works and maintenance contracts ranging from servicing machinery to laying floor covering.

The Isle of Wight Council in its capacity as landlord has a responsibility for the upkeep of its premises. Building companies are invited to apply for inclusion on the selective tendering list and only those companies who have been vetted will be used. For schools, where budgets have been delegated, there is an agreed list of work that can or cannot be carried out independently. Should they wish to use a builder of their choice who is not on the selective tendering list, they should contact the Property Services to arrange for clearance in the first instance. Any other workplaces which are not maintained centrally and therefore employ their own contractors should satisfy themselves that only competent persons are employed, that they have the required indemnity insurance and meet the requirements laid down in the Council's standing orders.

Where specific services have been contracted out special arrangements will need to be made so that both parties are clear as to their health and safety responsibilities. For example arrangements might be made for cleaning staff to leave their materials and equipment on the premises, in which case they should be stored in a secure area so that other persons who might be unaware of the risks cannot use them. Arrangements will have to be co-ordinated where contractors might need to use machinery in areas used by staff and other persons.

Each directorate will need to ensure that a sample of contractors work is monitored. Checks must be made to ensure that contractors will undertake work in the manner, which has been agreed and are meeting the legislative requirements for health and safety. As a guide directorates should aim to monitor between 5 - 10 % of work undertaken on their behalf. It is important that records are kept of monitoring that takes place, and where contractors are found to have failed to work safely measures are taken to rectify any failings identified. In some circumstances, where serious failings are identified, formal action such as the use of default notices will need to be considered.










Where Property Services have arranged a building contract, certain health and safety aspects such as compliance with the Construction (Design and Management) Regulations will have been agreed with the contractors, but it is down to workplace managers to ensure that exchanges of information in respect of day to day health and safety matters have sufficiently been addressed. Building contractors should be able to provide a "method of work statement" which will enable managers to see how the contractor intends to carry out the work and what provisions he has made for health and safety. Discuss this with your Property Services Building Surveyor in the first instance, if it is a contract arranged by them.

Contractors should provide their own equipment and tools unless subject to an agreement before the work commences. Should an accident occur the Council could be held liable if such items were found to be defective or if the user had not been given sufficient information, instruction or training in their use.

The lists which follow are intended to provide managers with some suggested questions which they may need to consider asking contractors during the planning stages of any proposed work and a format for recording monitoring of contractors.

MANAGERS AIDE-MEMOIR FOR PROPOSED WORK

1. Do I know the nature, scope, start date and duration of the work? Is there a standard specification relating to the necessary health and safety requirements?
2. Is there any relevant health and safety information that I need to give to the contractor? (eg fire evacuation procedures, access to building, smoking rules, permit to work systems etc) If the contractor's staff require access to toilets, what work areas will they need to pass through and does this create risks?
3. Will the contractor's vehicles need to pass through open areas or car parks used by staff or visitors? Can timing or barriers segregate them? If not, what arrangements can be made?
4. Do the contractors need to arrange for materials to be delivered and stored in advance of the work commencing and are there times when deliveries should not be made? What type of materials, what quantity and where can the items be kept without creating a hazard to others? Have arrangements been made for adequate protection of the work site and storage area?
5. Has the contractor undertaken a risk assessment and discussed the findings with me?
6. Is the contractor aware that he is responsible for providing his own first aid supplies, fire extinguishers for hot work, ladders and other equipment (Unless the contract has stipulated a mutually agreeable arrangement).
7. Has the contractor considered whether the work will create any of the following potential risks to the occupants or other users of the building?

-  Objects falling from a height
-  Over-turning of mobile scaffolds or ladders
-  Materials/equipment obstructing passageways and fire escapes
-  Scaffold, ladders, tools and plant being left where they create a hazard or are unattended
-  Electrical leads and hose pipes passing through occupied areas
-  Excavations
-  Dust, fumes and noise
-  Use of flammable liquids, gases, solvents etc, particularly near a boiler or an area where there may be naked flames
-  Use of substances likely to create ill health effects

If any of the above apply, what precautions do the contractors intend to take?

8. Do I as the workplace manager need to take any complementary precautions to prevent danger to staff or building users ie Take corridors/rooms out of use, temporarily relocate staff etc. (Should a circular letter be sent out to staff forewarning them of the work?) What safety signs will the contractor be putting out?

9. What are the arrangements for storing and disposal of waste? Is a chute to be used for removal of waste generated by the building works? How frequently will waste be cleared? Is a space required for a skip?
10. Before re-occupation of any area where work has taken place has the contractor thoroughly cleaned the area and removed all surplus materials and waste?
11. What additional security measures need to be in place to avoid intruders gaining access to buildings via contractors ladders/scaffolding etc, while work is in progress?
12. Will the contractor at any time need to turn off water/electricity/heating/fire alarm systems etc? What alternative arrangements do I need to make?
13. Do I know the name and telephone number of the person responsible for placing this contract and for supervising and monitoring it? Who do I contact if problems arise?

CONTRACTOR - HEALTH & SAFETY EVALUATION FORM 2.04A

Name and Address of Contractor

.....

Contractor Tel No :

Please read, answer the questions as indicated and supply any supporting information as requested leaving the right hand column blank.	MARGIN FOR OFFICIAL USE
1. Please state details of any professional bodies or associations that your company is a member of.	
2. Are you aware of your responsibilities under relevant statutes and regulations made thereunder in respect of Health and Safety? <p style="text-align: right;">YES/NO</p>	
3. Do you agree to carry out specific duties as identified in the Construction (Design and Management) Regulations (where applicable)? <p style="text-align: right;">YES/NO</p>	
4. Do you have a written safety policy which complies with the requirements of Section 2(3) of the Health and Safety at Work Act 1974? If yes, please provide a copy. <p style="text-align: right;">YES/NO</p> <p>(All firms employing five or more persons must have a written safety policy)</p>	
5. Please name the person responsible for the implementation of your firm's safety policy and indicate in what capacity the named person is employed by the firm, eg Director, Partner etc. In companies with less than five employees, provide details of the person responsible for health and safety arrangements.	
6. Provide details of the competent person(s) you have appointed to assist you with health and safety as required by the Management of Health and Safety at Work Regulations 1999. (If an employee, state name and qualifications).	
7. Do you employ any health and safety advisory staff in addition to any employee mentioned in 5? <p style="text-align: right;">YES/NO</p> <p>(If so, please state name(s))</p>	

CONTRACTOR - HEALTH & SAFETY EVALUATION FORM 2.04A	MARGIN FOR OFFICIAL USE
8. What proportion of time do your staff or consultants spend on health and safety?	
9. Has your company produced a safety manual detailing work operations and safe working practices? YES/NO	
10. How are your health and safety policies conveyed to the workforce?	
11. Give details of your system for monitoring compliance with your own policies and procedures and relevant legislation. Do you agree to pass on the findings of the monitoring you undertake to the IW Council? YES/NO	
12. Have you undertaken risk assessments in accordance with the Management of Health and Safety at Work Regulations? YES/NO (If yes, provide risk assessments for the activities that will be undertaken as part of the contract.)	
13. Do you undertake to provide risk assessments where members of the public or users of IW Council's premises might be affected by your work activities? YES/NO	
14. If requested, can you provide copies of assessments carried out under the Noise at Work Regulations 1989 and the Control of Substances Hazardous to Health Regulations 1994? YES/NO	
15. Do you ensure that machinery, tools and other equipment conforms to relevant specifications, current standards and statutory requirements? YES/NO	

CONTRACTOR - HEALTH & SAFETY EVALUATION FORM 2.04A	MARGIN FOR OFFICIAL USE
<p>16. Can you provide evidence that plant and equipment is only operated by competent staff and where certification is necessary for operatives that it is available for inspection.</p> <p>YES/NO</p>	
<p>17. Do you undertake to store plant and equipment so as to deny unauthorised access and where it is not likely to pose a risk to other persons?</p> <p>YES/NO</p>	
<p>18. Do your employees receive induction and/or safety training on recruitment before undertaking work tasks and in the advent of changed or new requirements in health and safety matters?</p> <p>YES/NO</p> <p>If your answer is in the affirmative, please give details of any training courses undertaken by employees and the objectives of any such courses relevant to health and safety.</p>	
<p>19. Do you agree to allow access to your place of work for inspection of premises, asbestos removal, plant, protective equipment, shower units etc by I W Council's officers, insofar as may be required to confirm the compliance with Health and Safety Regulations and the efficiency of your safety policy?</p> <p>YES/NO</p>	
<p>20. Please submit written details of all prosecutions or improvement and prohibition notices served in relation to Health and Safety at Work matters on your firm by Local Authorities or the Health and Safety Executive within the past five years. Also give details of all civil actions in respect of personal injury claims brought against you in the last five years.</p>	
<p>21. Give details of all accidents / incidents reported by your company in relation to the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 in the last five years</p>	
<p>22. Should you use sub contractors do you undertake to co-ordinate health and safety arrangements and ensure that they comply with health and safety legislation?</p> <p>YES/NO</p>	

CONTRACTOR - HEALTH & SAFETY EVALUATION FORM 2.04A	MARGIN FOR OFFICIAL USE
<p align="center">Questions 23 to 26 only to be answered by applicants with <u>five or less staff</u> who have not submitted written documents requested in 4 and 11. All applicants to sign the declaration below.</p>	
<p>23. Please state the significant risks which arise out of or in connection with your work activities and describe how you manage health and safety.</p>	
<p>24. State your procedures for reporting and recording accidents and dangerous occurrences.</p>	
<p>25. What procedures are in place in cases of emergency?</p>	
<p>26. How do you meet the requirements for first aid and welfare provision?</p>	

ALL APPLICANTS TO SIGN DECLARATION	
<p>I confirm that the above details are correct and hereby apply for inclusion in the contract.</p> <p>Signed</p> <p>Position</p> <p>For and on behalf of</p> <p>Date</p>	

Contract Monitoring - Health and Safety 2.04 B

1. Name of Contractor:

2. Type of work undertaken:
.....
.....

3. Location of work site :
.....

4. Date visited:

5. Person undertaking monitoring

6. Name of Supervisor/Person
in charge of work :

7. What hazards are associated with the work?
.....
.....
.....

8. Has worker received appropriate training? Yes No

9. Are risk assessments in place for work being done? Yes No

10. Are the control measures identified in the risk
assessment being observed? Yes No

11. Does the contract require the work to be carried
out in a specific way? Yes No

Is this being done? Yes No

Comments:
.....
.....

12. Details of any Hazardous Substances used:

.....
.....
.....

13. Is PPE used? (please give details) **Yes** **No**

.....
.....
.....

14. Standards of housekeeping: **Good** **Poor**

Comments:

.....

15. Condition of work equipment: **Good** **Poor**

Comments :

.....

.....

16. Are staff and members of the public properly protected from hazards arising from the work? **Yes** **No**

17. Are there adequate signs (Where applicable)? **Yes** **No**

Comments :

.....

.....

18. Summary

.....
.....
.....

Signed..... **Dated**.....

N B: Directorates are free to adapt this form for their own use, but when making amendments should not omit any of the items above.