

REDDITCH BOROUGH COUNCIL



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HEALTH AND SAFETY AT WORK

CONTRACTOR SAFETY

POLICY AND PROCEDURES

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Policy Statement

The council will take all reasonably practicable steps to ensure that Council employees are not put at risk from the work performed by contractors, and that contractors are aware of the risks and preventative measures they may be exposed to by council activities.

The Council acknowledges and accepts its statutory responsibilities to ensure, so far as is reasonably practicable, the health, safety and welfare for all who are employed or contracted to work within any Council premise.

1. PURPOSE

The procedure below details the arrangements that shall be made between the Council, Place Partnership Limited (PPL) and Contractor(s) to ensure safe working in all Council owned premises.

2. SCOPE

A contractor is anyone who works for the council but is not an employee (including PPL). This policy includes all Contractors who may work in number of different types of Contractor including:

- short term one off, employed for a particular task
- short term repetitive, employed for a recurring task
- medium term, such as to carry out a small refurbishment or maintenance task
- long term, continuing function.

The following provides examples of the type of work that is covered:

- non-Council employees working on buildings, plant or equipment
- service or maintenance engineers working on Council equipment.

This list is not exhaustive but any works which is undertaken by another party on behalf of the Council. Some contracted works may be a one off or on a regular basis.

Any contractors employed to undertake any services/work for the Council are required to follow this procedure. Likewise any staff members who employ Contractors to undertake works for whatever purpose are to familiarise themselves and comply with this policy.

Apart from the potential financial and legal penalties for failing to plan and manage contractors work, poor management of contractors is likely to expose people and property to unacceptable risks. Almost certainly, poor planning and management will increase costs, cause delays and/or disruption of services as well as increase the likelihood of accidents or ill health.

Contractor's staff carrying out maintenance work can be a significant cause of accidents in the workplace as they are generally less familiar with the workplace and yet often carry out hazardous tasks.

3. POLICY

As a controller of premises, the Council has a statutory duty to ensure, so far as is reasonably practicable, the health, safety and welfare of all its employees, visitors and guests, and further, to take necessary actions to ensure Council activities do not endanger others, including contractors, who may undertake work on or visit any Council premises or its neighbours.

This policy aims to ensure, so far as is reasonably practicable, the health, safety and welfare of contractors working on Council premises and also those affected by their work, through:

- identifying the potential for harm arising from the proposed work
- identifying who may be affected
- instigating appropriate controls.

Those staff who manage contractors undertaking work at Council premises will conform to the provisions of this Council policy. If there is a requirement to deviate from this policy another process must be followed which ensures, as far as is reasonably practicable, the health safety and welfare of contractors and those affected by their work. Observation of this policy does not in any way relieve contractors of their own statutory and other contractual obligations.

All building occupiers/users must organise any works to buildings and their associated services via Place Partnership Ltd.

Place Partnership must ensure that Officers in Charge are consulted and provided with the necessary information of work being undertaken by contractors on behalf of Place Partnership which may affect their operations. Wherever possible they must be notified when the works will be carried out so that any necessary adjustments can be made and staff notified.

4. RESPONSIBILITY AND AUTHORITY

4.1 General

Contracting is a recognised method of transferring risk but this does not mean that responsibilities for health, safety and legal liability are also transferred. The Council and the contractor are employers and have the same responsibilities to **ensure**, so far as is reasonably practicable, the health and safety of:

- Their employees;

- Other people working on their site; and
- Members of the public who may be affected by the work.

Good communications, cooperation and coordination are therefore essential. Both parties must exchange information on hazards, risks, emergency procedures and welfare provisions to ensure safe working. Further measures will be needed if the work is taking place in a publicly accessible area and may pose a risk to members of the public.

4.2 The Council

The Council has a duty to ensure that contractors (and sub-contractors) have safe working practices and adhere to them. In reality, this means that for every contract there should be a council officer who is responsible for placing and supervising the contract. These officers must have the competencies for placing and managing contracts and have the authority to suspend work that puts council or contractor employees at risk.

The supervising council officer could be a project manager, a representative of Place Partnership / officer-in-charge, a line manager, administrator, or suitably qualified person depending on the size and complexity of the project. Some of these responsibilities will be done by PPL on our behalf and others will need to be undertaken at a local level. Their responsibilities are to **ensure**:

- The contractor is competent to carry out the required work
- There is clarity about the work to be performed and the timescales
- The contractor is aware of site information including emergency procedures and welfare provisions
- Employees and the public (where appropriate) are notified of the work being performed and the risks to them
- That work is carried out in a safe manner
- That they have seen the any Risk Assessments and Method Statements from the Contractor before work commences and that they are happy with their content.
- That agreed health and safety procedures that we as a Council require are followed
- That the work is monitored and,
- That channels for communication, cooperation and coordination are maintained.
- Arrangements are in place to review risk assessments, method statements and safe systems of work before work commences, and monitoring of practices takes place during contracted works.
- Arrangements are in place to ensure sufficient communications with those that may be affected by the works undertaken.
- Any contractor-related incidents, including near misses, reportable accidents, diseases and dangerous occurrences are reported and that appropriate actions taken to prevent a recurrence, so far as is reasonably practicable (refer to section 6).

4.4 Heads of Service

All contract works to buildings, services and infrastructure must be communicated and agreed by Place Partnership Ltd. A premise must not start up its own contract procurement process.

4.5 All Staff

All Council staff, engaged with or affected by contracted work, must ensure they take notice of all information available concerning contractors who are working in their area. Staff should report any hazards or concerns regarding contractors working in their area to their line manager. Staff also have a general duty to ensure that their work does not endanger others, including contractors who are working in their vicinity.

4.6 Contractors

Place Partnership and Council employees must ensure that contractors comply with current legislative requirements, best practice and industry standards, contractual terms and conditions and Council policy and procedures.

5. THE CONSTRUCTION (DESIGN AND MANAGEMENT) REGULATIONS 2015 (CDM)

Under the CDM Regulations 2015, a construction phase plan is required for every construction project and where works are of a simple nature and involving a single contractor the need to demonstrate that health and safety on site has been considered in a simple plan.

Construction projects over 30 days, 500 person days or more than 20 people on site at any one time shall be notifiable to the Health and Safety Executive via an F10 form and will require a more rigorous approach to managing the Health and Safety of the project in the form of construction phase plans, health and safety files and Health and Safety folders handed over at completion of works.

Construction projects are defined as any works to construct, dismantle, maintain, repair or alter a structure and also includes domestic households.

5.1 CDM Contracts

CDM projects integrate the five steps approach into a framework where roles and duties of stakeholders are more clearly defined. The roles are defined as follows:

- **Client** – an organisation or individual for whom the work is carried out.
- **Designer** – organisations or individuals who as part of a business develop the initial concept, prepare the construction drawings and

specifications. The designers' role extends beyond the construction phase and must consider the health and safety aspects of the building's whole life, e.g. maintenance, repair, cleaning, refurbishment and eventual removal or demolition.

- **Principal Designer** – Designers appointed by the Client in projects involving more than one Contractor. They can be an organisation or an individual with sufficient knowledge, experience and ability to carry out the role. Liaise with Principal Contractor to help in the planning, management, monitoring and coordination of the construction phase.
- **Principle Contractor** – Contractors appointed by the Client to coordinate the construction phase of a project where it involves more than one contractor.
- **Contractors and Workers** – those performing the work.

The council will ordinarily have the role of Client and Principal Designer and some service functions may be either the Principle Contractor or Contractor. A summary of duties for each role are given in Appendix 2.

5.2 Specific Risks to Manage

Construction work is a high-risk activity and contractors are expected to provide risk assessments, safe schemes of work and / or method statements for the work they are performing. Specific risks associated with construction work are detailed below.

5.2.1 Asbestos

Every building owned by the Council shall have an asbestos register and a copy of the Policy and Procedures for Managing Asbestos. Any work in a Council owned property, with the potential to release asbestos fibres, must be assessed by a competent council officer or a representative of Place Partnership and a procedure to minimise the release of asbestos fibres agreed with the contractor(s). All contractors shall sign the asbestos register before starting any work.

Employees that have concerns about asbestos should contact a representative of Place Partnership or their H&S Adviser.

5.2.2 Equipment and Plant

- Contractors are not permitted to borrow and use any item of equipment owned or controlled by the Council.
- It is expected that contractors will provide their own plant, equipment, tools, etc that are necessary to carry out the work safely.

5.2.3 Vehicles and Traffic

- Contractor's vehicles must obey any traffic controls pertaining to the site.

- All contractor's employees driving or operating vehicles must have a valid driving license and / or certificate of competence.
- The Council expects all contractors to use vehicles that are well maintained and in good condition. Test certificates and inspection records must be produced on request.

5.2.4 Protective Clothing

- The contractor will determine what personal protective equipment (PPE) is necessary for safe working and ensure that their employees abide by that decision.
- Council employees entering any area where construction work is taking place are expected to wear PPE that conforms to that determined by the contractor.

5.2.5 Noise

- Noise levels produced by construction work should not exceed 75dB(A) taken as an average over an eight hour working day.
- Where employees consider that the noise levels are unacceptable they can request noise measurements to be taken by contacting OH&S.

5.2.6 Power Tools

- All power tools must operate from a 110v 50Hz centre tapped earth transformer.
- All cables must be routed to minimise trip hazards.
- Cartridge fixing tools can only be used if authorised by a representative of Place Partnership
- The Council may inspect any power tool that is considered to be in a dangerous condition.

5.2.7 Welding and Hot Work

- Welding and hot work may not be performed without written authorisation from a representative of Place Partnership under a permit to work.
- Welding and similar equipment must not be left unattended with the gases turned on.
- All gas cylinders (especially acetylene – maroon colour) will be supported in an upright position.

5.2.8 Paints, Adhesives

- Adhesives, paints and similar materials will only be used in well-ventilated areas.
- Any council employee who feels unwell or develops signs of an allergic reaction (skin rash, asthma) to any of the substances being used must report the fact immediately to a representative of Place Partnership/

Officer-in-Charge and the Health and Safety Team. The representative of Place Partnership / Officer-in-Charge should ensure that the employee is removed to fresh air or an area unaffected by the fumes.

- If exposure to the fumes results in the collapse of any employees then the emergency procedures should be followed.

5.2.9 Locating and Breaking into Services

- Contractors must not interrupt any services or utilities without prior consent from Redditch Borough Council represented by representative of Place Partnership / Officer in Charge and/or Principal Designer. This shall be a signed consent agreed by all parties.

5.2.10 Radiation

- Contractors are not permitted to bring any source of ionising radiation into any Council properties (land or structures)
- Any proposed use of any sources of ionising radiation must be agreed by Redditch Borough Council, represented by a representative of Place Partnership, Officer in Charge and/or Principal Designer or Designer. This shall be a signed consent agreed by all parties.

5.2.11 Storage

- The contractor must ensure that all equipment, materials and substances are stored correctly and in accordance with manufacturer's instructions.
- Flammable substances (including petrol) should be stored in a separate locked purpose built cabinet.
- All substances stored on site must comply with local environment and fire prevention strategies.

5.2.12 Waste Disposal

- Contractors are responsible for disposing of any waste they create and for keeping their work areas clean and tidy. Employees should notify a representative of Place Partnership if this does not occur.

5.2.13 Work at ground Level

- Contractors must ensure that their work areas are isolated and protected by fences, ropes, tapes or any other barrier that is suitable for the work being performed.
- Where a site has been handed over to a contractor for the period of the contract a secure fence or other barrier must be erected.
- The barriers must be maintained in a serviceable condition and appropriately signed.
- Contractors must make arrangements to segregate pedestrians and vehicles, with appropriate signage.

- Contractors must take suitable precautions when working in the vicinity of overhead power cables.

5.2.14 Work below Ground Level

- A ground plan or survey must be used to identify any buried services (or other buried artefact or human burials). A written declaration shall be produced to confirm that there are no buried services (or other burials) in the area of the excavation and shall be signed by a member of Place Partnership.
- CAT scans to be undertaken to verify specific location of services, prior to excavating.
- Caution should be taken with any excavation and where services are expected hand digging should be used.
- Ensure that there is an emergency plan to deal with damage to cables or pipes with a system in place to notify the service owner.
- Trenches and excavations should be made in accordance with HSE guidance and best practice:
 - Regular inspections and maintenance
 - Shoring of side walls
 - Safe access and egress
 - Lighting and ventilation
 - Barriers and warning signs.
- Spoil heaps should not be so close to excavations that material can collapse / fall into the excavation.

5.2.15 Work above Ground Level

- Ladders must be maintained in good condition and, when used, must be tied off (at the top) or footed.
- Access to, and use of, ladders must be prevented at night.
- Scaffolding must be erected and dismantled by approved contractors.
- Erected scaffolding must be properly maintained and inspected (written record) every week and after severe weather.
- All scaffolding must be erected on solid ground, securely braced, tied to the building, otherwise supported and have toe boards and guard rails.
- Edge protection or suitable anchorages and safety harnesses shall be used for roof work or on ledges.
- Mobile elevating equipment shall conform to relevant legislation and be used by trained competent persons.

6. EMERGENCIES, FIRE AND FIRST AID

If an accident, incident or dangerous occurrence occurs involving a Contractor they should notify their employer and follow their procedures.

They should also notify the Council Officer overseeing the work so that a suitable report can be made.

Place Partnership or the Officer in Charge will provide the contractor(s) with details of emergency and fire procedures pertaining to the site upon arrival.

The contractor is expected to provide first aid support for their employees. Contractors shall keep their own records of accidents and are responsible for reporting accidents, if appropriate, to the enforcing authorities.

7. RECORDS

A file shall be produced and maintained for any construction project. Where the project invokes CDM a separate H&S file shall also be produced. The files will contain all risk assessments, safe systems of work, method statements, permissions and permits to work.

Prior to any construction project being undertaken a pre-work checklist shall be completed.

Letters, memos and minutes of any meetings shall be kept in the project file.

8. APPENDICES

Appendix 1: Assessing the competence of Contractors
Appendix 2: Pre-work instructions and checklist
Appendix 3: Summary of CDM duties

Management of Contractors

No matter how small the job is, or how fast it can be completed it is necessary to consider any Health and Safety implications before the contractor arrives on site. The five steps approach below provides the framework.

Five Steps

The following steps should be part of the project plan with information gathered being used in subsequent steps.

Planning

- Define the job, impact on site activities and timescales
- Identify the physical and operational hazards
- Assess physical and operational risks
- Eliminate and reduce the risks
- Specify H&S conditions
- Discuss H&S issues with the contractor.

Choosing a contractor

- What safety and technical competence is needed?
- Ask questions and gather evidence
- Review the job, the site and site rules with the contractor
- Ensure risk assessments, safe schemes of work and method statements are obtained and discussed with the contractor
- If sub-contractors are to be used then find out how Health and Safety is to be managed.

Contractors working on site

- Hold a pre-meeting and run through checklist (Appendix 1)
- Contractors to sign in and out and display a visitor/contactors badge
- Provide a site contact / liaison at all times
- Reinforce Health and Safety information and site rules
- Review job parameters before allowing work to start.

Keeping a check

- Assess the frequency of site meetings
- Monitor work and progress
 - Timescales
 - Health and Safety
 - Accidents
 - Sub-contractors and changes in personnel
- Have a system for dealing with changes to specifications and problems.

Reviewing the work

- Schedule a review meeting before handover
- Record and lessons to be learnt.

APPENDIX 1: Pre-work instructions and Checklist

LOCATION:		DATE:		
DESCRIPTION OF WORK BEING UNDERTAKEN:				
START DATE:		END DATE:		
START TIME:		FINISH TIME:		
WILL OUT-OF-HOURS WORKING BE REQUIRED? (if YES, please supply details below)			YES	NO
DETAILS OF OUT-OF-HOURS WORKING:				
CONTACTS		PHONE	EMAIL	
WCC:				
CONTRACTOR:				
OTHER:				
DOCUMENTS RECEIVED FROM CONTRACTOR:				
H&S POLICY / POLICY STATEMENT?			YES	NO
RISK ASSESSMENTS?			YES	NO
SAFE SYSTEMS OF WORK?			YES	NO
METHOD STATEMENTS?			YES	NO
DOCUMENTS GIVEN / MADE AVAILABLE TO CONTRACTOR:				
H&S POLICY / POLICY STATEMENT?			YES	NO
EMERGENCY PROCEDURES?			YES	NO
RISK ASSESSMENTS?			YES	NO
PERMITS TO WORK?			YES	NO
OTHER? (please specify)			YES	NO
INDUCTION CHECKLIST (tick when completed):				
Fire alarms and emergency procedures				
Accident reporting				
First aid				
Welfare				
Access / access restrictions				
Permits to work				
Utilities				
Hazardous substances				

Asbestos register	
Vehicle routes and parking	
Storage of materials	
Security arrangements	
Other (please specify)	
DETAILS OF CONTRACTORS COMPOUND, FENCING AND BARRIERS:	
MEASURES TO CONTROL NOISE, DUST AND OTHER NUISANCE FACTORS:	
DETAILS OF ANY ACCESS AT HEIGHT (work off ladders, scaffolding, mobile equipment etc):	
DETAILS OF ANY WORK IN CONFINED SPACES (possibility of low oxygen atmosphere):	
DETAILS OF ANY 'HOT WORK' (soldering, brazing, welding):	
DETAILS OF WASTE MANAGEMENT / REMOVAL (skips etc):	
DEALING WITH COMPLAINTS:	
MANAGEMENT OF CHANGE ORDERS AND DELAYS:	
FREQUENCY OF PROGRESS MEETINGS:	

SUPERVISING PPL/RBC OFFICER(print name):

Signed: Date:

APPENDIX 2: Summary of duties under Construction (Design and Management) Regulations 2015 (CDM 2015)

Summary of duties for CDM dutyholders	
CDM Dutyholders* – Who are they?	Main duties – What they need to do
<p><u>Clients</u> – Organisations or individuals for whom a construction project is carried out.</p>	<p>Make suitable arrangements for managing a project, including making sure:</p> <ul style="list-style-type: none"> • other duty holders are appointed • sufficient time and resources are allocated. <p>Make sure:</p> <ul style="list-style-type: none"> • relevant information is prepared and provided to other duty holders • the principal designer and principal contractor carry out their duties • welfare facilities are provided
<p><u>Domestic clients</u> – People who have construction work carried out on their own home (or the home of a family member) that is not done as part of a business.**</p>	<p>Though in scope of CDM 2015, their client duties are normally transferred to:</p> <ul style="list-style-type: none"> • the contractor for single contractor projects • the principal contractor for projects with more than one contractor <p>However, the domestic client can instead choose to have a written agreement with the principal designer to carry out the client duties.</p>

<p><u>Designers</u> - Organisations or individuals who as part of a business, prepare or modify designs for a building, product or system relating to construction work.</p>	<p>When preparing or modifying designs, eliminate, reduce or control foreseeable risks that may arise during:</p> <ul style="list-style-type: none"> • construction • the maintenance and use of a building once it is built <p>Provide information to other members of the project team to help them fulfil their duties.</p>
<p><u>Principal designers</u> - Designers appointed by the client in projects involving more than one contractor. They can be an organisation or an individual with sufficient knowledge, experience and ability to carry out the role.</p>	<p>Plan, manage, monitor and coordinate health and safety in the pre-construction phase of a project. This includes:</p> <ul style="list-style-type: none"> • identifying, eliminating or controlling foreseeable risks • ensuring designers carry out their duties <p>Prepare and provide relevant information to other duty holders.</p> <p>Liaise with the principal contractor to help in the planning, management, monitoring and coordination of the construction phase.</p>

<p><u>Principal contractors</u> – Contractors appointed by the client to coordinate the construction phase of a project where it involves more than one contractor.</p>	<p>Plan, manage, monitor and coordinate health and safety in the construction phase of a project. This includes:</p> <ul style="list-style-type: none"> • liaising with the client and principal designer • Preparing the construction phase plan • organising cooperation between contractors and coordinating their work <p>Make sure:</p> <ul style="list-style-type: none"> • suitable site inductions are provided • reasonable steps are taken to prevent unauthorised access • workers are consulted and engaged in securing their health and safety • welfare facilities are provided
<p><u>Contractors</u> – Those who do the actual construction work, contractors can be an individual or a company.</p>	<p>Plan, manage and monitor construction work under their control so it is carried out without risks to health and safety.</p> <p>For projects involving more than one contractor, coordinate their activities with others in the project team – in particular, comply with directions given to them by the principal designer or principal contractor.</p> <p>For single contractor projects, prepare a construction phase plan.</p>

<p><u>Workers</u> – Those working for or under the control of contractors on a construction site.</p>	<p>Workers must:</p> <ul style="list-style-type: none"> • be consulted about matters which affect their health, safety and welfare • take care of their own health and safety, and of others who might be affected by their actions • report anything they see which is likely to endanger either their own or others' health and safety • cooperate with their employer, fellow workers, contractors and other duty holders
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* Organisations or individuals can carry out the role of more than one duty holder, provided they have the skills, knowledge, experience and (if an organisation) the organisational capability necessary to carry out those roles in a way that secures health and safety.

** CDM 2015 applies if the work is carried out by someone else on the domestic client's behalf. If the householder carries out the work themselves, it is classed as DIY and CDM 2015 does not apply.