

## **Appendix A9.10**

### **Control of Contractors Policy**

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## **Policy Statement**

This policy sets out how the BBSRC will manage contractors whilst they are working on its premises.

The BBSRC owes a duty of care under the Health and Safety at Work Act 1974 to all employees and others who may be put at risk by its premises or activities, including contractors undertaking work on its premises. The BBSRC will ensure that all works undertaken by contractors for, or on its behalf are carried out in such a manner as to avoid, reduce, or control all foreseeable risks to health and safety to a tolerable level.

The policy has been agreed with local Health and Safety Advisors and the Trade Unions and complies with statutory best practice.

The Institute Grant Agreement states that “The Institute will take all necessary steps to ensure compliance with all legal requirements and best practice for health and safety, environmental compliance and the security of staff in relation to the operation of the Institute”. Therefore implementation of this policy by such establishments will ensure they meet this requirement.

## 1. Principles

The control of contractors can represent a significant challenge for the BBSRC and its sponsored establishments. The failure to plan and manage contractors work increases the likelihood of exposing people and property to unacceptable risks e.g. an incident, with potential financial and legal penalties.

The BBSRC and its sponsored establishments will take all steps, so far as is reasonably practicable, to pursue the following principles:

- Only competent contractors will be selected and that any risks associated with contractor undertakings are minimised to a tolerable level
- BBSRC, its sponsored establishments, and contractors will ensure that they comply with relevant good practice standards and law
- A management framework is in place for contractors' activities and that the appropriate level of planning, coordinating, control and monitoring is in place to safeguard staff and protect BBSRC's property, environment and assets.

## 2. Definitions

**Contractor:** This is any person or company who undertake work, or provide a service, who are **not** an employee of the BBSRC or its sponsored establishments.

Contractor work may include projects or activities such as:

- repair, clean, service or maintain equipment or structures
- installation, commission or de-commission equipment and plant
- inspect or test equipment or plant
- grounds work and gardens maintenance
- catering, cleaning and security
- installation and maintenance of mechanical/electrical services systems
- design consultancy, surveying and site investigations
- construction, refurbishment, alteration to buildings and demolition/dismantling or redecoration of structures (such work may fall under Construction (Design and Management) Regulations 2015 and additional legislative requirements and notifications may apply).

**Sub-contractor:** is a person who is hired by the main contractor to perform a specific task as part of the overall project

**Competent/Responsible person:** is someone who has sufficient training and experience or knowledge and other qualities that allow them to assist you properly. The level of competence required will depend on the complexity of the situation and the particular help required.

**Notifiable Construction Project:** a project is notifiable to HSE if the construction phase will be longer than 30 days, or 500 person days of construction work. Any day on which construction work takes place is counted.

**Permit-to-work (PTW):** A 'permit to work' is a formal system stating exactly what work is to be carried out, when, and which parts are safe. A responsible person should assess the work and check the safety at each stage. The people doing the job should sign the permit to show that they understand the risks and precautions necessary.

### **3. Control Measures**

Each establishment will ensure it only engages competent contractors to undertake works on its behalf and make suitable checks on their competence prior to employing them. All contractors are to be provided with the necessary information and instruction to undertake their work activities safely. Where applicable and relevant to the vicinity of the intended works, information on asbestos and other local hazards will be given to the contractors. Contractor employees are to be provided with induction training detailing their hosts' site arrangements for securing health and safety and records of training are kept

Each establishment will ensure that suitable and sufficient procedures are in place to gain effective communication, co-operation and co-ordination of all contractor works. Contractors will only be permitted to commence works once they have properly planned their works and put in appropriate measures to manage and deliver the works effectively with regards to health and safety and quality of products.

Each establishment must ensure sufficient competent persons are appointed to manage the contracted works and that supervision and monitoring is put into place proportionate to the risk posed by the works. Establishments will ensure the appropriate level of authorisation for contractor works and arrangements to review risk assessments, method statements and safe systems of work, by a competent person. These must be in place prior to work commencing.

All contractors are required to have the appropriate level of security clearance for the area they are working in and be readily identifiable whilst on the premises. High risk contractor work may be subject to permit to work (PTW) or other local requirements such as the issuing of decontamination certificates prior to work commencing. These permits should be issued in a timely manner, by a competent authorised person, to inform affected staff and minimise disruption.

### **4. Organisation and responsibilities**

**Establishment Directors** will have overall responsibility for health and safety within their establishments and therefore need to ensure that robust mechanisms are in place for management and control of contractors on their site.

### **a. Heads of Estates and Facilities Management**

Heads of Estates and Facilities Management will be responsible for ensuring that:

- Suitable competent contractors are identified and appointed in collaboration with the relevant procurement parties and adhere to tendering processes
- Where appropriate, that the CDM regulations are complied with, and works meeting the notification requirements under CDM regulations, are notified in a timely manner to the HSE
- There are sufficient competent persons and resources in place to manage and monitor contractor activities and there is effective liaison/co-operation/communication between all parties involved in or affected by the contracted works
- H&S departments are given details of any projects or maintenance works which could have H&S or fire safety implications for staff, students or visitors. H&S should be invited to verify that buildings are safe for use after commissioning or refurbishment.

### **b. Personnel engaging, managing and supervising contracted works**

Personnel (e.g. project management staff, specialists within E&FM Departments) tasked with engaging, managing or supervising contracted works will be responsible for ensuring that:

- All contractors working on their sites are made aware of any specific hazards and local safety standards for the site and are provided with relevant information (including any requirements for PTWs)
- Contractors and their sub-contractors are provided with induction training and that records of training are kept
- Contractor method statements and risk assessments have been provided in good time, reviewed, agreed and where appropriate, other persons informed
- Routine monitoring and periodic assessment of contractors during the course of their work is carried out to ensure that they are complying with the agreed method statements and local site rules
- If applicable for certain projects/activities, communication channels (e.g. regular meetings) are established for the two-way flow of information between site staff and contractor staff
- Any incidents/near-misses as a result of contractor activities are recorded in the site's incident reporting systems, followed up where necessary and that serious/significant events are reported without delay to H&S Departments and Heads of Estates and Facilities Management.

### **c. Staff of BBSRC and its sponsored establishments**

All staff engaged with or affected by contracted work should ensure they take notice of all information available concerning the contractors who are working within their areas and abide by any restrictions put into place. Staff should report any hazards or concerns regarding the activities or conduct of contractors in their area to their line manager or H&S Department who can notify the appropriate person. All staff have a general duty to ensure that their work does not endanger others, including contractors who are working in their vicinities.

### **d. Health and Safety Advisors**

H&S Advisors will be responsible for:

- Providing advice when drawing up the content of contractor inductions or H&S documentation specific to contractors
- Verifying that buildings and areas are safe for use after commissioning or major refurbishment
- Having an awareness of any relevant legislative requirements which apply to the activities being carried out
- Ensuring where appropriate, investigations are carried out into incidents/near-misses and recommendations are made to prevent or minimise recurrences; that any RIDDOR requirements are met.

### **e. Contractors**

It is the responsibility of contractors to:

- Provide a method statement where appropriate, detailing the activities necessary to carry out the task and take into account how this will interact with the activities of the area of work
- Provide a risk assessment of hazards and the associated control measures to ensure the H&S and welfare of their own employees and others who may be affected by the contractor's activities
- Ensure that any sub-contractors they employ are competent
- Communicate with others regarding any hazards arising from the associated work activities
- Adhere to all relevant legislative requirements and their host's code of practices and procedures including local site rules (e.g. fire safety, security, parking, housekeeping, incident reporting, etc.)

- Be identifiable to other members of staff on site
- Report all injuries, incidents and near-misses to their host's contact/project manager/supervisor as well as their own companies
- Attend the induction training and any other training necessary on site in order to carry out the works.

#### **f. Authorised Persons for signing Permits to Work (PTWs)**

Authorised persons for signing permits to work will ensure all PTWs identify and manage risks associated with the work tasks. They will ensure the PTWs are issued with sufficient time to allow time for clearance/decontamination /monitoring activities to take place (where appropriate) and that they are managed and monitored effectively.

### **5. Arrangements**

To achieve the objectives of this policy, the BBSRC and its sponsored establishments will ensure that they have in place suitable arrangements for managing and controlling contractors. The measures put in place should be consistent with the level of risk; the greater the risk of the work, then the more that needs to be done. It is acknowledged that there will be procedural variations across the sites as to how this is achieved and it is not appropriate to give detailed arrangements here. However, the following points should be addressed:

- Each establishment will ensure it has procedures in place to carry out suitable competency and safety performance checks on prospective contractors during the selection process
- All contractors are to be provided with the necessary information and instruction to undertake their works in accordance with this policy
- Each establishment is required to have an asbestos management plan and asbestos register; procedures should be in place to inform contractors about asbestos if it is relevant to their intended works
- Where appropriate, use of welfare facilities should be clarified (e.g. smoking points, use of canteen, washrooms, parking facilities, mobile phone usage)
- Contractors should be instructed about local site emergency procedures, the nature of alarms, evacuations and medical emergencies. In the event of an emergency, which occurs in the contractors' work environment or from their activities, emergency procedures must be in place which have been agreed with their host
- Each establishment should have incident reporting procedures in place and contractors need to be made aware of how they can report such occurrences

- Each establishment needs to ensure that contractor risk assessments and method statements are reviewed and signed off as acceptable by competent staff, conversely inherent risks in the proposed area of work need to be brought to the attention of the contractors (e.g. asbestos, gases, electrics, steam pipes, infection, working at height, confined spaces, biological agents, chemicals, radiation)
- Waste disposal arrangements should be clarified and waste procedures confirmed prior to works commencing
- Each establishment should ensure it has identified circumstances where permits to work are required and implemented procedures for their issue and signing by competent, authorised personnel (e.g. confined spaces, hot works, high voltage electrical work, excavations, working at height)
- Where relevant, establishments should have processes in place that provide evidence that areas are safe for contractors to enter and carry their work (e.g. decontamination and clearance certificates)
- Once the project is completed, arrangements must be in place to ensure all contractor work items (equipment, tools, excess materials and waste) are removed from site
- Where required, the host establishment must ensure that the contractors are aware of any quarantine requirements prior to undertaking their work; this may be achieved by pre-start meetings and inductions.

## **6. Reporting**

Establishments should have procedures that monitor contractor performance throughout the course of the work and on its completion. Performance reviews should consider aspects such as; observing safe work procedures, observing site rules, wearing of personal protective equipment as required, accidents and incidents, quality of work, housekeeping, waste management and the timely completion of tasks. Reports should be made to the relevant site persons /committees. The local Health and Safety Committee should meet regularly and discuss and review the findings of all incidents involving contractors, and monitor the progress of any action plans. All serious accidents and/or those with high risk potential should be reported to senior management. Poor safety performance of contractors should lead to them not being eligible for future work.

## **7. Policy Review**

The implementation of this policy will be monitored and reviewed every three years or earlier if there are legislative changes or other significant events.



## 8. Amendment History

Version	Date	Comments/Changes

## Appendix 1: Relevant Authoritative Bodies and Related Documents

### Authoritative Bodies

<i>Health and Safety Executive</i>	<i>The HSE's work covers a varied range of activities; from shaping and reviewing regulations, producing research and statistics and enforcing the law.</i>
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### Related Documents

<i>Health and Safety at Work Act 1974</i>	<i>Often referred to as HASAW or HSW, this Act of Parliament is the main piece of UK health and safety legislation. It places a duty on all employers "to ensure, as far as is reasonably practicable, the health, safety and welfare at work" of all their employees.</i>
<i>Construction (Design and Management) Regulations 2015</i>	<i>The law that applies to the whole construction process on all construction projects, from concept to completion</i>
<i>Managing Contractors A Guide for Employers HSG159</i>	<i>HSE's guide for employers using contractors</i>
<i>Using Contractors INDG368</i>	<i>Simple, short guidance booklet which hi-lights key points when using contractors</i>
<i>BBSRC Health and Safety Policy</i>	<i>Policy that describes requirements for BBSRC establishments with regard to maintaining a healthy and safe working environment for employees, students and others that may be affected by their work activities.</i>