CONTRACTOR MANAGEMENT

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Links or overlaps with other procedures/policies:			
Health and Safety Policy			

Amendment History

Issue	Status	Date	Reason for Change	Authorised

Please note:

If you require a copy of this procedure in an alternative format (for example Large Print, Easy Read) or would like any assistance in relation to the content of this procedure, please contact the Human Resources (HR) team on 01803 656680.

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1. Introduction

This document applies to all staff who are involved in employing and/or working with contractors and must be implemented as a minimum standard throughout the Trust. Whilst most appointments will be undertaken by Estates and Facilities, individual Service Delivery Units and managers will also employ contractors and will, therefore, be required to follow this procedure. Staff should be familiar with their obligations and levels of authority within standing orders, standing financial instructions and the Trust's scheme of delegations, before preparing to appoint contractors to do any form of work.

The Trust is committed to ensuring peoples' safety while at work. It aims to do this by:

- Ensuring that contractors are competent and the management of contractors is consistent
- Providing a safe working environment which, as far as is reasonably practicable, reduces the risk of harm occurring to staff, contractors and anyone else who may be affected by their activities
- Implementing a proactive approach to risk assessment to identify where risks need to be controlled
- Selecting appropriate contractors and implementing adequate control measures
- Ensuring co-operation between staff and the contractor's workforce to ensure health and safety arrangements on site are managed properly
- Ensuring sufficient information, instruction and supervision is available to staff and contractors to enable them to work safely

A contractor is a person or organisation, who is brought-in to perform any type of work in any area that the Trust is responsible for and is not an employee.

2. Purpose

The Trust often uses contractors to carry out various types of work. This can range from very simple work such as window cleaning, office machinery repair or security services, to major construction projects to extend, refurbish or maintain premises. The purpose of this procedure is to ensure that all contractors are managed correctly.

3. Roles and Responsibilities

Everyone needs to take the right precautions to reduce the risks of workplace dangers to employees and others.

Where the Trust employs a contractor both parties have duties under the Health and Safety at Work Act and the Management of Health and Safety at Work Regulations.

The Construction (Design and Management) Regulations 2015 (CDM Regulations) impose more detailed requirements on those involved in any construction work as client, designer or contractor.

4.1 Chief Executive

The Chief Executive has overall responsibility for ensuring the H&S of the employees in the Trust and to ensure that reasonably practicable measures can be implemented to manage contractors.

4.3 Director of Estates and Commercial Development

The Director of Estates and Commercial Development has direct responsibility of ensuring this policy is being adhered to and that the responsible managers are competent. This Director is answerable to the Chief Executive for its implementation.

4.4 Responsible Manager/Point of Contact (POC)

The responsible manager/POC, who is the person who has been given direct responsibility for the work that is being undertaken by the contractor, must ensure:

- The contractor has been checked, approved and is on the Trust current 'Approved List of Contractors'
- That a pre a pre-contract meeting is held with the contractor
- The contractor has been provided with all the necessary information during planning Hazards in the area of works, e.g. chemical, physical and/or biological
- The contractor is clear on the standards of Health, Safety and Welfare that is expected when working for the Trust and these are agreed prior to works starting
- The contractor is clear about the content and scope of the work to be undertaken either via a contract or service level agreement and is provided with sufficient information to ensure that the work is carried out safely
- The contractor and all staff they employ receive a full induction including information on the Trust permit to work system
- The contractors safety plan, risk assessments and method statements relating to the contractors current activities have been checked and approved
- The contractor complies with the risk assessments and method statements when carrying out the work by regular monitoring of their controls and activities. The frequency of the monitoring will depend on the extent of the risks associated with the work and the impact of the contractor's presence on site. Relevant issues may include:

- What equipment/substances/materials are being used
- Permit to work system
- Level of disruption to building services
- Reporting and investigation of incidents either internally or externally
- Day to day checks undertaken by the contractor

- The contractor provides necessary safety measures to protect workers, visitors and others who may be affected by their acts or omissions before and during the works

- That any changes to the method of works are agreed prior to work taking place

- That if there are several contractors working on a project their activities are co-ordinated to ensure they do not affect each other's Health and Safety

- That the contractor activities and associated risks are communicated to Trust staff or members of the public. This may be in the form of notices, signs, email, via telephone or site meetings

- The contractor is aware of the Health Technical Memorandum (HTM) for use in Health Premises

5. Selecting a Contractor

Prior to being considered for the undertaking of any works for the Trust any contractor must be on the 'Approved List of Contractors' to ensure that they are competent to undertake work safely and effectively.

6. Provision of Information

6.1 Safety Plan

Prior to any commencement of any works the Contractor shall be required to prepare and submit to the POC a Safety Plan identifying all the safety measures that the Contractor will be employing during the contract. This document will also identify contingency measures being made by the Contractor, in the event of any emergency which arises directly as a result of the work which he is undertaking including accidental spillage, releases into the atmosphere and releases into any water or drainage system. This document shall also identify the name of the Safety Professional within the Contractor's organisation, who may be contacted by the Trust in the event of safety enquires relating to the work being undertaken.

6.2 Method Statements and Risk assessments

The Safety plan must include Method Statements and Risk Assessments detailing precisely how the work in the Specification is to be undertaken and the methodology to be adopted to ensure full compliance with the specification and the requirements of all Health & Safety legislation. Generic method statements are not acceptable.

7. References

The following references and further reading are applicable to this document:

- Health and Safety at Work, etc Act 1974
- Management of Health and Safety at Work Regulations
- Construction (Design & Management) Regulations
- HSE: Use of Contractors – A Joint Responsibility
- Health Technical Memorandum Series
- HSE Guidance INDG368

8. Appendices

Appendix 1 – Equality Impact Assessment

Appendix 1

Equality Impact Assessment

Policy Title (and number)	***MANAGEMENT OF CONTRACTORS***		**Version and Date**	***V3 May 2017***	
Policy Author	Maurice Lidster				
An equality impact assessment (EIA) is a process designed to ensure that a policy, project or scheme does not discriminate or disadvantage people. EIAs also improve and promote equality. Consider the nature and extent of the impact, not the number of people affected.					
EQUALITY ANALYSIS: How well do people from protected groups fare in relation to the general population? ***PLEASE NOTE: Any 'Yes' answers may trigger a full EIA and must be referred to the equality leads below***					
Is it likely that the policy/procedure could treat people from protected groups less favorably than the general population? (see below)					
Age	Yes ☐ No☒	Disability	Yes ☐ No☒	Sexual Orientation	Yes ☐ No☒
Race	Yes ☐ No☒	Gender	Yes ☐ No☒	Religion/Belief (non)	Yes ☐ No☒
Gender Reassignment	Yes ☐ No☒	Pregnancy/ Maternity	Yes ☐ No☒	Marriage/ Civil Partnership	Yes ☐ No☒
Is it likely that the policy/procedure could affect particular 'Inclusion Health' groups less favorably than the general population? (substance misuse; teenage mums; carers[1]; travellers[2]; homeless[3]; convictions; social isolation[4]; refugees)					Yes ☐ No☒
Please provide details for each protected group where you have indicated 'Yes'. **Suitable risk assessment will be completed depending on staff circumstances.**					
VISION AND VALUES: Policies must aim to remove unintentional barriers and promote inclusion					
Is inclusive language[5] used throughout?					Yes ☒ No☐
Are the services outlined in the policy/procedure fully accessible[6]?					Yes ☒ No☐
Does the policy/procedure encourage individualised and person-centered care?					Yes ☒ No☐
Could there be an adverse impact on an individual's independence or autonomy[7]?					Yes ☐ No☒
If 'Yes', how will you mitigate this risk to ensure fair and equal access? See individual Risk Assessment.					
EXTERNAL FACTORS					
Is the policy/procedure a result of national legislation which cannot be modified in any way?					Yes ☒ No☐
What is the reason for writing this policy? (Is it a result in a change of legislation/ national research?)					
The purpose of this Procedure is to ensure that all contractors are managed correctly					
Who was consulted when drafting this policy/procedure? What were the recommendations/suggestions?					
Health and Safety Committee					
ACTION PLAN: Please list all actions identified to address any impacts					
Action			Person responsible		Completion date
none					
AUTHORISATION: **By signing below, I confirm that the named person responsible above is aware of the actions assigned to them**					
Name of person completing the form			Signature		
Validated by (line manager)			Signature		