



# Control and Management of Contractors Policy

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## 1. Policy Statement

The aim of this Policy is to provide guidance to all staff Peterborough Diocese Education Trust (PDET) who are directly involved in the appointment, use and management of contractors.

The Policy will be most applicable for those individuals contracting site works, such as site supervisors and the estates team, administrators, bursars and school business managers. However, other individuals will appoint Contractors from time to time and therefore must ensure they are compliant with this policy. This policy will cater for all types of Contractor and therefore all responsible persons employing contractors are required to follow this policy.

## 2. Definitions and Acronyms

**“Contractor”** means an individual, company or organisation engaged by the Trust (other than an employee) to carry out work for gain or reward.

**“Sub-contractors”** are individuals, companies or organisations employed to undertake works, for gain or reward, by the contractor.

**“All Contractors”** are both Contractors and Subcontractors.

**“Responsible Person / Competent Person”** individuals who hold relevant qualifications, experience and training in order to carry out specified tasks.

**“HSE”** The Health and Safety executive.

**“HASWA”** The Health and Safety at Work etc Act 1974.

**“DSE”** Display screen Equipment Regulations.

**“COSHH”** Control of Substances Hazardous to Health.

**“CDM”** Construction, Design and Management Regulations.

**“PPE”** Personal Protective Equipment.

## 3. Introduction

The Health and Safety at Work etc Act 1974 places a duty upon organisations to, so far as is reasonably practicable, ensure the health, safety and welfare of its staff and anyone else who may come into contact with the Trust or its undertakings. This includes contractors or sub-contractors.

## 4. Scope

PDET uses Contractors to undertake a wide variety of different tasks. This ranges from support services such as cleaning and catering, security, and waste disposal through to technical works such as electrical or building repairs and major construction.

## 5. Objectives

The purpose of this policy is to ensure that contractual arrangements comply with PDET Policies (found here: <https://www.pdet.org.uk/key-documents/policies>) and procedures and with legislation. It shall ensure all parties to fulfil their legal duties as well as contractual obligations.

## 6. Summary

The policy and procedure give guidance on how to manage and control Contractors in relation to services provided at PDET premises.

## 7. Responsibilities

The Board of Directors has overall responsibility for Health and Safety within PDET and they have delegated day-to-day responsibility to the Chief Executive Officer (CEO) to ensure this policy is implemented as appropriate.

### 7.1 The Procurer

The procurer of any services / contract for works must ensure that the contractor is competent to carry out the works specified and where possible, will utilise certified or accredited Contractors/organisations. Throughout the contract period the procurer will ensure the works / services are to the required standard. Some of these tasks and responsibilities may be delegated to other colleagues, particularly where works are procured centrally for action at a school.

It is also the duty of the procurer to ensure that all relevant safety measures are taken, not only to protect the contractors, but all persons who may come into contact with PDET and its undertakings. PDET has a duty to ensure that these work activities do not alter the conditions or impede the provision of a safe place of work for staff, children, and visitors.

The health and safety needs of any contract must be assessed. Resources such as additional training or equipment will be provided as required. Any equipment provided to Contractors must be managed appropriately, and it must be checked that contractors have the necessary skills and experience to use such equipment.

Some Contractors on site will have duties under The Construction (Design and Management) Regulations (CDM Regulations). These will generally be Estates and Facilities contractors or those who undertake large construction projects. In some cases, works will require more than one Contractor at a time to be working in the same area or on the same premises. It is vital that the parties share relevant information under the statutory requirements of the CDM regulations.

To achieve this the procurer must co-ordinate Contractor activities and provide adequate information regarding health and safety issues on the premises. Specifically, they should undertake a risk assessment and set out suitable control measures in order to manage any significant risk. Appropriate Risk Assessment templates are available on PEDT's compliance software, Smartlog.

The provision of this information will enable Contractor/s to plan for costs etc.

It is the duty of the procurer to provide every Contractor with information on emergency procedures relevant to the premises and provide details of particular hazards in the area (This may include Control of Substances Hazardous to Health – CoSHH assessments) for example, gases, chemicals, or biological hazards.

PDET will set out standards for working in high-risk areas. Information on specialist hazards such as Asbestos, contaminated land or high-risk activities must be supplied by the employing manager. In some cases, work in these areas will require a permit to work.

## **8. Contractors**

Contractors have a duty to supply a safe place of work to their staff. It is equally the contractor's responsibility to obtain relevant health and safety related information from PDET as it is for the procurer to inform them. Once this information has been obtained by the Contractor, they must then develop safe systems of work relevant to the premises and work activities. The employing manager should be made aware of the impact of the systems of work on the health and safety and normal systems of work within the area in which work is being carried out.

Contractors must ensure that work carried out does not compromise the health, safety, or welfare of others.

It is the Contractor's responsibility to make their own provisions for first aid. (This includes trained / competent first aiders and equipment.)

## **9. Sub-Contractors**

Sub-contractors have the same responsibilities as Contractors. The Sub-Contractors may use equipment provided by the Contractor and may be working under the supervision of the contractor.

# **Managing Contractors Procedure**

## **10. Purpose of Procedure**

The purpose of this procedure is to provide information on the way in which both staff and Contractors must work in order to prevent incidents and accidents related to Contractor's work activities.

All procurers and contractors must follow this procedure; however, it does not remove the legal obligations placed upon the Contractor/s.

## **11. Procurer Requirements**

The procurer has a duty to follow PDET procedures to ensure, so far as is reasonably practicable, the Health, Safety and Welfare of anyone who may come into contact with these work activities.

## **12. Before the Works Commence**

The procurer must inform all colleagues affected by the Contractor's work in reasonable time, so that any areas affected by the works can plan for the disruption to normal routines etc.

Before works / activities commence it is essential that adequate information is given to the contractor regarding risk identification. This will require formal risk assessment in most cases for any substantial estates works but may not be necessary for small / inconsequential works.

Suitable and sufficient risk assessment must be carried out by the procurer before Contractors begin their work. Contractors to supply Risk Assessments, method statements and public liability insurance, relevant to job being undertaken, where appropriate (i.e. for premises and maintenance works).

Contractors who work on the site should be made aware of hazards identified within the risk assessment. In some cases, additional policies and procedures will need to be issued to contractors. These will cover areas of high risk including the following:

- Asbestos
- Medical Gases
- Electrics
- Steam pipes
- Infection Control
- Working at height
- Confined spaces
- Hot work.

Before Contractors are employed, adequate checks must be undertaken to ensure that the contractors are competent to carry out works or activities in relation to health and safety requirements. The PDET Estates Team maintains a list of competent contractors and should be contacted before any works commence to check for compliancy.

The PDET Estates Team can be contacted through:

- |  |  |
|--|--|
| • Lee Hughes, Chief Operating Officer (COO): | <a href="mailto:Lee.Hughes@pdet.org.uk">Lee.Hughes@pdet.org.uk</a>       |
| • Daniel Parker, Trust Estates Manager:      | <a href="mailto:Daniel.Parker@pdet.org.uk">Daniel.Parker@pdet.org.uk</a> |
| • Debbie Brewer, Estates Administrator       | <a href="mailto:Debbie.Brewer@pdet.org.uk">Debbie.Brewer@pdet.org.uk</a> |

The procurer must ensure that the Contractor is given a copy of this procedure and related policy before work commences.

## 13. Security

The procurer must ensure relevant security procedures are enforced. This will require informing the Contractors of their access routes throughout the site, information regarding confidentiality and high-risk areas.

## 14. Emergency Planning

The procurer must inform the Contractor of the emergency planning arrangements, for example, Fire Procedures.

On arrival the procurer must show the Contractor the following basic fire safety measures:

1. The closest fire escape and fire assembly point
2. The location type and method of operation of the nearest fire-fighting appliance
3. The location of the nearest fire alarm and the method of activation
4. The tone of the fire alarm and what to do on activation.

Contractors are responsible for the provision of suitable and sufficient firefighting equipment, appropriate to the work involved and must obey alarm signals whilst on PDET premises. Smoking / Vaping is prohibited in all areas and contract staff are required to comply with this.

## **15. Welfare Arrangements**

Washroom facilities may be made available to use by Contractors, or Sub-Contractors, where appropriate. The conditions for the use of such facilities are that they are used only during the time specified by each school. The Contractor or Sub-Contractor should be suitably dressed and observe normal standards of hygiene when using restaurant facilities.

## **16. Contractors Requirements**

Contractors have a duty to work safely and manage the safety of their staff. The work activities must not, so far as is reasonably practicable, effect the Health, Safety and Welfare of anyone who come into contact with them or their activities.

## **17. Before Works Commence**

On large contracts it is the responsibility of the Contractor to appoint all Sub-Contractors and ensure competence is fully assessed and appropriate for the works requested.

If a permit to work is required, the Contractors will not begin works of any kind without the permit being issued first (such as a planning application).

## **18. Suitable Staff Allocation by Contractors**

Contractors may only employ persons aged 18 or over.

Due to the nature of the premises, all personnel related to the Contractor or Sub-Contractor, must be suitable to work on the site. Contractors are likely to come into contact with members of the public, staff and children. For this reason, any contractor who may be in close contact with these people must have undergone the relevant clearances.

## **19. Accident / Incident Reporting**

The Contractor must report all accidents and near misses to the procurer and to the Trust Estates Manager who will assist the Contractor in filling in relevant incident report forms. They may wish to also report using their own system.

If an incident / Accident requires a RIDDOR report and follow up investigation, it is essential that this is carried out by the Contractor in accordance with relevant HSE Legislation. This needs to be forwarded to the procurer and the Trust Estates Manager.

## **20. Occupied Premises**

Where PDET premises are occupied, the Contractor or Sub-Contractor must ensure that all works carried out in such a manner as to cause minimum disruption to daily operations.



## **21. Delivery, Unloading and Hoisting of Materials**

The Contractor or Sub-Contractor is responsible for the delivery, unloading, hoisting and storage of all their own materials. At no time should these works impede or make dangerous, normal access to areas outside the immediate vicinity of the works.

## **22. Electricity**

All electrical equipment on site must be used in a safe and approved manner in accordance with current Electricity at Work Regulations. All portable appliances brought onto site must have been tested and be within the validity period. Circuit protection devices should be used when plugging any equipment into the mains. The procurer may require records of this testing.

## **23. Water Supply**

A water supply will generally be made available by the procurer or other suitable person. The use of fire hoses and/or fire extinguishers, except in emergencies, is prohibited.

## **24. Housekeeping**

All Contractors must ensure that rubbish or excess equipment and materials is not allowed to accumulate in the immediate work area, and in no circumstances is material for disposal to be stored outside the working area unless in the Contractor's, or Sub-Contractor's own authorised skip. All surplus materials and / or rubbish should be cleared from the site on completion of the contract.

Burning of rubbish on PDET premises is prohibited.

Excessive dust build up is to be avoided and suitable precautions should be taken to reduce the likelihood of dust particles.

Good housekeeping is to be maintained at all times.

## **25. Control of pollution**

Contractors may not deposit any waste, chemicals or any other substances whatever into drains or waste containers on PDET premises, unless express permission has been given by the Trust Estates Manager.

Arrangements should be made to prevent sand, soil, cement or any other solid materials being washed into drainage or sewage systems. Under no circumstances should hazardous substances be flushed into drainage or sewage systems as a means of disposal.

## **26. Mobile Phones**

Mobile phones are to be turned off or, as a minimum, set to 'silent mode' as far as is practicable.

## **27. Specific Hazardous Work Activities**

Some contractors may be employed by PDET to carry out a specific hazardous activity, some examples of which are explained below. If the activity in question is not contained within the text of the procedure the procurer will be required to carry out relevant risk assessment.

## **28. Working at Height**

Scaffolding will be erected only by competent persons who will carry out statutory inspections and maintain records of inspections. Contractors must erect suitable scaffolding with guardrails, toe boards and the tower must be fully boarded. Scaffolding must be erected in line with relevant manufacturer standards and HSE legislation. This will include The Construction Design and Management Regulations (CDM).

Contractors should not carry out roof works without authorisation. Relevant Personal Protective Equipment (PPE) must be worn, for example, harnesses, hardhats, and appropriate footwear.

## **29. Road Safety**

All road works on PDET premises must be agreed with the Trust Estates Manager. Any excavations, storage and skips must be guarded using appropriate signs, rails, traffic cones and lights etc. All works must consider Local Planning Authority guidelines.

## **30. Personal Protective Equipment**

The Contractor is responsible for providing the personal protective equipment for his employees that is necessary for the work in hand. PPE must also comply with the statutory requirements or equivalent guidance appropriate to the circumstances.

## **31. Hazardous Substances**

Contractors must not bring hazardous substances (CoSHH specific substances) onto the site without informing the procurer. The substance may only be utilised once the appropriate documentation, for example, Material Safety Data Sheets (MSDS) and relevant CoSHH assessments have been presented.

## **32. Asbestos**

Work involving asbestos and/or asbestos-bearing materials is strictly controlled by legislation and PDET's policy and arrangements on the subject. If, during the course of a contract the work is likely to involve disturbing asbestos in such a way as to give rise to dust the Contractor must cease work, withdraw his employees from the area and report immediately to the Trust Estates Manager or his representative. Only contractors that are licensed by the Health and Safety Executive are permitted to work with asbestos.