

Lake District
National Park



Contractor Health and Safety

Code of Practice

August 2014

Version 1

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1. Introduction

The Lake District National Park Authority (the authority) uses the services of a wide range of contractors to provide goods, services and works. In many cases contractors deliver services on its behalf. The Authority has a duty under health and safety legislation to ensure it undertakes its activities in a safe manner. The duty extends to managing risks associated with works undertaken by contractors. Contractors have similar duties themselves under health and safety law.

This code of practice sets out some of the requirements and expectations placed on contractors to assist the Authority in undertaking its responsibilities in as safe a manner as possible. The Code is applicable to all sites under the control of the Authority.

It is intended that this code will be regularly reviewed and updated. The focus of the document will be on the management arrangements for contracting and on some specific requirements for higher risk activities. The code does not attempt to repeat the legislation or national published guidance. It sets out some specific rules that the Authority applies. The code should not be viewed as a complete set of health and safety requirements and contractors are expected at all times to operate in a safe manner compliant with health and safety legislation and published Health and Safety Executive Guidance.

Where work is sub-contracted the main contractor is responsible for ensuring all sub-contractors are provided with and comply with this code. No works may be sub-let without prior approval of the Authority.

The requirements specified in this version of the code are applicable from 1st June 2013. The code contains a number of accreditation requirements for specific activities. Where a contractor working under an existing or renewing contract is unable to immediately meet the standard on the implementation date the advice of the County Council's Corporate Health & Safety Team should be sought. In some limited circumstances contractors may be allowed a period of time to obtain the necessary accreditation. For first time contracts only those contractors meeting the specified accreditations will be eligible to undertake work for the Authority.

2. Contractor Selection and Assessments

For all high risk (in terms of health and safety) procurement activities the Authority uses a questionnaire (pre-qualification or supplier) to help assess the suitability of a contractor to undertake the works or services.

It should be noted that the monetary value is not relevant to this consideration as a low financial value could still present a significant health and safety risk. Construction activity is always deemed high risk.

Sometimes even for low risk contracts potential suppliers are asked to sign a declaration of their commitment to health and safety.

The questionnaires used, whether for construction activity or other high risk activities, is based on the document PAS 91:2013 – Construction Pre-Qualification Questionnaires.

The Authority encourages contractors to seek approval/assessments of their health and safety management systems by gaining UKAS accredited certification to OHSAS 18001 or pre-qualification by a member scheme of the Safety Schemes in Procurement Forum (SSIP). This is taken into account in the contractor selection process and will facilitate easier passage for contractors through the selection process.

OHSAS 18001 is the International standard for health and safety management systems.

The SSIP Forum (www.ssip.org.uk) acts as an umbrella organisation to facilitate mutual recognition between health and safety pre-qualification schemes wherever it is practicable to do so. Members include CHAS, Acclaim, Exor, and SAFE contractor.

It is expected that contractors will hold other memberships of professional and/or technical bodies relevant to the activities they undertake. Some of these are indicated elsewhere in the Code. For some contracts specific memberships may be a requirement.

3. Documented health and safety procedures

Prior to undertaking any work for the Authority all contractors must be able to demonstrate that they have assessed the risks arising from that work and have adequate safe working procedures in place to control the risk. Where required contractors must produce evidence of documentation including safe systems of work, method statements, or equivalent and risk assessment.

4. Public liability and Employers liability insurance

Contractors must have arrangements for Employers Liability Insurance and sufficient Public Liability Insurance to work on Authority sites. The requirement, as at 1 June 2013, is for a minimum of £10 million cover for Employers Liability insurance and £5 million cover for Public Liability Insurance, increased to £10 million for construction work. Additional cover may be required for some work.

5. Emergency Contacts

Wherever possible liaison with regard to emergencies should be with the relevant site contact. If required the County Council's Corporate Health & Safety Team can be contacted by telephoning 01228 221616 (out of hours details on answerphone).

6. Site Arrival, Contacts and Reporting Requirements

Before attending a site (or building) the contractor must make sure that those responsible for the relevant site activities know that they are coming. This may be a pre-arranged meeting by others or if the visit is initiated by the contractor they should telephone ahead and speak to the named contact or person in charge of the site (orders from the Authority will contain contact details).

All vehicles driven onto (or within) a site must be driven with extreme care and local rules of the site complied with.

Agreed access routes to the site must be observed at all times.

All contractors' staff attending a site must follow a signing in procedure which will usually be through the Authority office/ reception unless the site is "handed over" to the contractor. Formal site induction may be appropriate at some sites and will always be required at construction sites.

All contractors' staff must wear suitable visible identification at all times whilst on Authority sites. At some sites there is a requirement to wear a visitor badge.

Before undertaking any work on site the contractor must be aware of any site safety rules to include fire evacuation procedures and accident recording / first aid procedures. All accidents occurring on Authority sites must be reported to Authority representatives.

Where a contractor is to undertake work on the building structure it is essential that all relevant safety information is available before commencing work. Of particular importance is the need to be informed of information related to asbestos on site (see asbestos section of this code).

7. Welfare and facilities

For the majority of sites contractors will be given permission to use existing site welfare facilities. Where these are unsuitable or unavailable then the contractor must make suitable welfare facilities available for employees, subcontractors and other visitors. This requirement is especially applicable to construction type works.

8. Permits to Work

For some high risk tasks the Authority deems it appropriate to use Permits to Work (PTW) as one of the required controls.

This applies to:

- Hot works
- Confined spaces work
- Excavations
- Other high risk tasks wherever deemed appropriate

Where work is undertaken by a Contractor employed directly the permit will be issued by a representative from the Authority following Authority PTW procedures.

In the case of construction work where a Principal Contractor is appointed the Principal Contractor will issue the PTW.

9. Vehicles Transport and Equipment

Speed limits at all locations unless otherwise stated is "dead slow".

Access and egress routes must not be obstructed at any time unless by prior arrangement so that provision can be made for emergency and other services.

Access by vehicles to areas other than "roads" or "car parking" will be by prior arrangement and agreement only and even then only once adequate precautions have been put in place for the proper segregation of vehicles and pedestrians (proportionate to the risk).

Where applicable vehicles returning to public roads and highways should be cleaned and excess detritus removed and properly disposed of.

Vehicles left unattended must be properly made safe, locked and the keys removed.

10. Tools and plant

All tools, plant and equipment brought onto site remains the responsibility of the contractor. None must be left to be a danger to others, nor left unattended unless properly locked in a safe position and keys removed. Tools and plant must not obstruct passageways or emergency access/egress routes.

11. Site behaviour

It is expected that contractors observe reasonable normal behaviour on site. Offensive and inappropriate language must not be used.

Any verbal or physical abuse must be reported immediately to the site contact.

Use of smoking materials (including e-cigarettes), recreational drugs and alcohol is not permitted on any Authority site. The only exception is that smoking may be permitted in an area designated by the Principal Contractor on a site handed over under the CDM regulations.

Where food or drink is brought onto site all associated waste must be disposed of appropriately.

12. Fire precautions

Where visiting or undertaking short term and minor works the contractor must read and comply with the emergency/fire response plan including evacuation to a place of safety.

Where the contractor takes control of a site he must prepare, and revise as appropriate, a full fire emergency response plan/ procedure in accordance with the project programme.

Use of fires to burn waste materials, etc is prohibited on Authority sites.

13. Segregation, barriers and site fencing

All construction works must be adequately segregated from the building users, visitors etc. The segregation should be appropriate to the risk. Wherever possible follow the guidance give in HSG 151 ("protecting the public - your next move").

14. Asbestos

The Authority has appointed its Buildings Manager as its Asbestos Coordinator.

All persons who work on the fabric of council buildings or on equipment likely to contain Asbestos Containing Materials (ACMs) must have undertaken asbestos awareness training or refresher training, as appropriate, within the previous 12 months.

All persons who knowingly work with asbestos other than in relation to licensable asbestos work must have completed training or refresher training on non-licensable asbestos work, within the previous 12 months.

All persons who undertake licensable asbestos work must have undertaken asbestos training or refresher training in accordance with L143 – Work with Materials Containing Asbestos and HSG 247 Asbestos: The Licensed Contractors' Guide, as appropriate, within the previous 12 months.

All externally sourced training in relation to asbestos, as indicated above, must be delivered by an organisation or individual that is a UKATA member.

All contractors undertaking asbestos surveys and re-inspections must be specialist contractors who hold UKAS accreditation to BS EN ISO17020 in the case of organisations or BS EN ISO/IEC 17024 in the case of individuals for carrying out surveys for asbestos containing materials.

Any company used to oversee asbestos related work by a removal contractor must be appointed by the Authority rather than by the asbestos removal contractor.

Where the company is engaged to direct the work of the asbestos removal contractor (rather than just assess the work) then it must hold an Asbestos Licence for Supervisory Work from the HSE Asbestos Licensing Unit.

All contractors undertaking work on ACMs must hold membership of either ARCA, or the ACAD Division of TICA, and must hold an Asbestos Licence from the HSE Asbestos Licensing Unit.

Sub-contractors who carry out work such as scaffolding which has the potential to disturb the asbestos material must hold the appropriate asbestos licence for ancillary work from HSE Asbestos Licensing Unit.

The above requirements for organisations do not apply to non-licensable tasks in the following categories:

- Removal of asbestos cement materials such as roofing sheets and rainwater goods
- Toilet cistern and seat removal
- Vinyl floor covering material
- Gaskets removed by engineers

Where licensable work or Notifiable Non-Licensed work (NNLW) is undertaken, 14 days minimum notice to the HSE is required. This is the responsibility of the asbestos removal contractor.

It is a requirement that any person undertaking work which may disturb the building fabric or undertaking work on equipment which may contain ACMs in Authority premises must consult the asbestos information available for the building. This will generally be achieved by providing access to the asbestos survey report or register on site. Alternatively instructions may be issued in writing to the person undertaking the work as to the asbestos status of a building.

In addition labelling is often used as a secondary means of identification of ACMs and suspect ACMs. In non-sensitive areas (generally non-public areas), this will be by means of a HSE approved warning sign for asbestos-containing products. In sensitive areas labelling is by means of yellow circular stickers for materials suspected as being ACMs and red circular stickers for materials proved to be ACMs by sampling.

Where a contractor suspects that ACMs may be present which have not been identified on a survey the contractor must not proceed with the work until information is available to the contrary or appropriate remedial action has been taken. In these circumstances the instruction of the Asbestos Coordinator should be sought.

In the event that ACMs or suspected ACMs are inadvertently disturbed, the area must be evacuated and steps taken to prevent other persons entering the area (e.g. locking doors and displaying prohibition signs). This will continue to be the case until such time as remedial action is taken by a licensed Asbestos Contractor or sampling indicates that the area is safe for occupation.

Any clothing contaminated by ACMs or suspect ACMs should be carefully removed and placed in a plastic bag which should be sealed and then placed into a further sealed plastic bag. Where plastic bags are not readily available the clothing should be left in the contaminated area. Contaminated clothing should be treated as asbestos waste for removal by the contractor that deals with any remedial action to the ACMs. The person contaminated should wash thoroughly and shower as soon as possible.

The Asbestos Co-ordinator must be informed at the earliest opportunity where any ACMs or suspected ACMs have been disturbed so that remedial action can be taken.

Where a contractor intends to work with ACMs on Authority sites he / she must request a copy of the Authority's procedure on management of asbestos which contains fuller details of the management arrangements.

15. Work at height

Work at height is known to be particularly hazardous accounting for the majority of fatalities occurring on construction sites. Below are some requirements of the Authority in relation to specific equipment/activities.

16. Window cleaning

Window cleaning can involve working at height, discharge of water and introducing slip and trip hazards, especially when undertaking internal cleaning. Such hazards must be avoided.

The Authority does not permit the use of ladders to clean windows above single storey height. Alternatives such as pole cleaning must be utilised to minimise working at height.

17. Ladders

Alternative safe access methods should be selected to ladders and stepladders where practicable.

Where ladders are used on work on behalf of the Authority only ladders meeting the following standards are acceptable:

- Metal ladders - BS 2037 Class 1 or BSEN131
- Wooden ladders - BS1129 Class 1 or BSEN131
- Fibreglass ladders - BSEN131

Each set of ladders or stepladders in use must have affixed to it a record of its latest inspection.

18. Scaffolding (other than tower scaffolds)

From 1st April 2014 all scaffolding contractors working on behalf of the Authority must be full members of National Access and Scaffolding Confederation (NASC).

All individual scaffolders must hold a "Construction Industry Scaffolder's Record Scheme" (CISRS) qualification appropriate to the work they are carrying out. Qualifications include labourer, "trainee scaffolder", "scaffolder (System)", "advanced scaffolder", "scaffold inspection" and "advanced scaffold inspection". Scaffolders must be competent.

19. Tower scaffolds

All persons erecting and using tower scaffolds must hold a PASMA (Prefabricated Access Suppliers' and Manufacturers' Association) card having completed the PASMA 'Standard' course, now renamed the 'Towers for Users' course. As an alternative they may hold an alternative card for this activity from one of the bodies listed in the plant and equipment operator section of this code.

Each tower scaffold in use must have affixed to it a record of its latest inspection.

20. Mobile elevating work platform

All persons operating mobile elevating work platforms such as "cherry pickers" and mobile scissor lifts must hold a PAL (Powered Access Licence) card issued by IPAF (International Powered Access Federation). As an alternative they may hold an alternative card for the relevant equipment from one of the bodies listed in the plant and equipment operator section of this code.

21. Electrical work

Any contractor working on electrical installations or equipment under the control of the Authority must be registered on the Electrical Safety Register for non-domestic work (www.electricalsafetyregister.com).

22. Gas work

Work on gas appliances or installations must only be carried out by Gas Safe registered engineers, who must carry their Gas Safe Register ID card.

23. Legionella controls and water hygiene

Any contractor providing water hygiene services must be a member of the Legionella Control Association.

From 2015 Contractors providing legionella risk assessments must be UKAS (United Kingdom Accreditation Service) accredited for this task.

24. Work in relation to fire protection services and equipment

Any contractor providing fire protection services must hold BAFE (British Approval for Fire Equipment) certification under the relevant scheme(s) for the goods or services they provide.

25. Health and safety consultancy

The majority of professional health and safety services are provided by in house provision from the County Council Corporate Health & Safety Team and other specialist professional services in the Council.

Individual externally commissioned Health and Safety Consultants must be registered on the Occupational Safety and Health Consultants Register (www.oshcr.org).

26. Construction type activity: training/competency requirements

For all construction type activities the competency of individuals will be assessed using a two stage approach indicated in the CDM ACOP. The Authority has some specific requirements in relation to competency requirements in construction type work as indicated below.

27. Construction site workers and visitors

All individuals working on or visiting construction sites will be required to hold a CSCS or CSCS affiliated card relevant to their work activity.

There are numerous classes of cards and a number of affiliated cards which carry the CSCS logo. These include CPCS for plant, CISRS for scaffolders, ECS for electricians, CCDO for demolition workers, and ACE for engineers.

28. Highway worker specific requirements

In addition to holding a CSCS or affiliated card, the following classes of individuals must hold a card when undertaking works which are the subject of a Sector Quality Schemes

indicated in the table below or where equivalent work not covered by a sector scheme is carried out.

Scheme	Operative Erectors	Foreman Lead Operative/ Lead Erectors	Issuing Authority
2A - Fencing	Required	Required	Lantra (FISS/CSCS)
2B - Vehicle Restraint Systems	Required	Required	Lantra (FISS/CSCS)
2C - Environmental Barriers	Required	Required	Lantra (FISS/CSCS)
5B - Installation of Parapets for Road Restraint Systems	Required	Required	Lantra (FISS/CSCS)
7 - Application of roadmarking and road studs	Required (NVQ level 2 or Certified Operative)	Required (NVQ level 2 or Certified Operative)	CSCS or LGNTO for certified Operatives RMSA for NVQ holders
8, 9B and 10 - Installation and Maintenance of Highway Electrical Equipment	Required	Required	ASLEC/ECS
12A - Static Temporary Traffic Management	Required	Required	Lantra
12B - Static Temporary Traffic Management	Required	Required	Lantra
12C - Mobile Lane Closures	Required	Required	Lantra
12D - Installation, Maintenance and Removal of Temporary Traffic Management	Required	Required	Lantra
13A - Surface Dressing	Required	Required	CSCS (RSDA)
13B - Microsurfacing	Required	Required	CSCS
16 - The Laying of Asphalt Mixes	Required	Required	CSCS

29. Excavation training

Any individual working on excavations where services may be exposed will be required to demonstrate evidence of training in service detection and avoidance as well as

specific training in any detection equipment that is used (see HSG 47 – Avoiding danger from underground services).

30. Plant and equipment operator specific requirements

For workers operating plant or equipment they must hold the appropriate certification for the plant or equipment where approved training exists.

The following certification schemes are deemed acceptable for the relevant plant/equipment:

- CPCS
- National Plant Operators Registration Scheme
- RTITB
- LANTRA
- ITSSAR
- The Association of Industrial Truck Trainers (AITT)
- City & Guilds
- PASMA (for erection and use of tower scaffolds)
- IPAF (for use of MEWPs)

31. Designers

The Authority recognises membership of relevant professional institutions such as CIBSE; ICE; IET; IMechE; IStructE; RIBA; RICS; CIAT; CIOB as a strong indicator that a designer has the necessary task knowledge and an ability to recognise the health and safety implications of their design work. The Authority also recognises that membership of a relevant register administered by such an institution (for example the Construction Health and Safety Register of the ICE, or the design register operated by the APS) gives a more detailed indication that the designer has the necessary knowledge and experience. For those who specify materials, equipment and standards of finish (eg interior designers) relevant academic qualifications or evidence of their past experience in this type of work are accepted as a strong indicator as to their competence.

Those who only occasionally become involved with design work and those who are learning (trainees) and who do not meet the qualifying criteria should work under the supervision of a competent designer.

When carrying out Stage 2 (site specific) of the assessment the Authority will consider the designer's past experience in the type of work. If designers work as part of a team, different individuals may bring different skills and knowledge to the work, and this will be taken into account when making the assessment.

32. Competence of individual CDM-C

CDMC services are generally provided by the County Council's health & Safety Team but there may be occasions when additional resources will be bought in.

In addition to being able to demonstrate competence relevant to the particular project any external person providing a CDM-C role to the Council must hold current Registered Membership as CDM Co-ordinator with the Association for Project Safety.

33. CDM Process (ACOP L144)

For construction activities each contractor is required to submit the following details for each key roles/individual who will work on the project:

- Professional Qualifications
- H&S Qualification
- Recent relevant experience

For notifiable projects all Contractors and Designers must comply with the requirements of the CDMC service staff that are part of the County Council's Health & Safety Team, including timely submission of requested information.

Where the County Council provides the CDMC service no work must commence on site until the CDMC service has confirmed that the Construction Phase Plan meets the requirements of the CDM regulations.

This page may be used as a record of receipt of the Code by the Contractor

I..... (Insert name)

on behalf of(Insert name of contractor)

acknowledge receipt of the Lake District National Park Authority Health & Safety Code of Practice (v1).

Dated.....(insert date)

The completed acknowledgement form should be returned to the Lake District National Park representative managing the contract.