

Swindon Borough Council

Health and Safety Policy

HSP 020

Control of Contractors

Date	Title of Reviewer	Purpose/Outcome
31.12.2013	Health and Safety Team	New Policy Document
01.12.2014	Health and Safety team	2014/15 Review – No changes
08.04.2015	Health and Safety team	Review to align with new CDM regulations enacted 06 April 2015
20.11.2015	Health and Safety team	2015/16 Annual Review – no technical changes, admin changes only.
22.12.2016	Health and Safety Team	2016/17 Annual Review – no technical changes, admin changes only.
02.01.2018	Health and Safety Team	2017/18 review – admin changes only.
01.01.2019	Health and safety Team	2018/19 review – no technical changes
18.12.2019	Health and Safety Team	2020 review – admin changes only
17.12.2020	Health and Safety Team	2021 review, admin changes only

Swindon Borough Council

Health and Safety Manual

Title:	HSP 020 Control of Contractors Policy
Author(s):	Health & Safety Team
Date:	January 2021
Review date:	January 2022
Application:	This policy applies equally to all Swindon Borough Council (SBC) employees including agency or casual staff, other stakeholders delivering SBC services, workplaces, work activities and premises.

		<u>Cross - References</u>
Definitions	For the purpose of this policy, the following definitions apply;	
	CDM	Construction (Design & Management)
	Contractor	A Contractor is an employer or self-employed person who has been employed by SBC to provide a construction, maintenance, repair or other service on SBC premises.
	Principal Designer	In the case of any construction project where more than one contractor is involved, it is required that a Principal Designer, as defined under the "Construction (Design and Management) Regulations" 2015, is appointed by the Client. (SBC)
	Principal Contractor	In the case of any construction project with more than one contractor it is required that a Principal Contractor is appointed by the client, as defined under the "Construction (Design and Management) Regulations" 2015
Policy	<p>Contractors are routinely employed to undertake a wide range of construction work activities on SBC premises. This policy does not apply solely to building works, but to all works undertaken by contractors working at or for SBC. All work undertaken on SBC premises that affects the construction or fabric of a building or other permanent structure, or which adds, modifies or removes any services in a building or which involves any disturbance to the ground must be managed and controlled by SBC Management.</p> <p>No contractor should be allowed to work on SBC premises without knowledge of their competency to carry out the work and having carried out a risk assessment. A safe system of work and/or method statement must be established and documented where necessary.</p> <p>The following steps must be followed in the management of contractors and to ensure safe working at SBC:-</p> <p>1. Selection of contractors to include:</p>	<p>See Appendix 1</p> <p>See Appendix 1</p>

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	<ul style="list-style-type: none"> • Provision of relevant site H&S hazards by the Client to all Designers, Principal Designer and any Contractor • Selection of other duty holders. <ol style="list-style-type: none"> 2. Planning the Work (construction phase plan) 3. Control on Site 4. Monitor 5. Reviewing of the Work <p>These practical steps are outlined at the Arrangements section below.</p>	
Policy Aims	<p>The purpose of this policy is to:</p> <ul style="list-style-type: none"> • Promote practical measures to minimise the risk to the health, safety and welfare of staff, users, visitors and others who may be affected by the work activities of SBC. • Establish guidelines on health and safety requirements for Departments employing contractors and the operation of contracted works. • Comply with the requirements of the Health and Safety at Work, Etc. Act 1974 and associated legislation. 	
Risk	Exposure to construction activity related hazards.	
Responsibility	This responsibility must be discharged primarily at the line management/operational level.	

Roles and Responsibilities

1.	<p>Directors & Heads of Services</p> <p>Directors and/or Heads of Service must ensure that where a Principal Contractor and Principal Designer are appointed by SBC Management, they must ensure their competence to undertake these roles, recognising their own limitations and seeking specialist advice where necessary.</p>	
2.	<p>Managers</p> <p>SBC managers are responsible for the implementation of this Policy within their area of control. Managers must identify who will be responsible for assessing contractor risks assessments in their Department under this Policy as Site Contact/Project Manager.</p> <p>Managers must also ensure that:</p> <ul style="list-style-type: none"> • The site where work is to be undertaken is clearly defined. • Any information concerning significant hazards within SBC premises is fully communicated to the contractor prior to construction work commencing. • Copies of the HSG 020 Control of Contractors Procedure are provided to the contractor. • The precautions required by the Control of Contractors Procedure and any additional control measures, which the contractor or his representatives are instructed by SBC to take, are fully observed. 	

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	<ul style="list-style-type: none"> All contractors are made aware of the fire and other emergency evacuation procedures relevant to the site being worked on. Appropriate arrangements are in place to co-operate and co-ordinate with contractors and affected occupiers of premises regarding welfare and first-aid facilities, emergency procedures and other health and safety arrangements affecting contracted works. <p>No contractor should be employed at or by SBC except in accordance with the requirements of this Policy.</p>	
3.	<p>Employees</p> <p>All Staff must cooperate with Management in ensuring compliance with this policy.</p>	
	<p>Corporate Health & Safety Team</p> <p>The Health & Safety Team will:</p> <ul style="list-style-type: none"> Provide advice and guidance where required on the implementation of this policy and the CDM 2015 Regulations. Provide corporate overview and strategic guidance on control of contractors. Monitor and report on corporate performance for contractor control. Audit and review contractor arrangements and performance, as part of the Council's health and safety management system. Review this policy and associated arrangements in line with legislative changes and best practice. 	
<u>Arrangements</u>		
1.	<p>Selection of Contractors</p> <p>Contractors invited to work at SBC must be made fully aware of the standards of health and safety which SBC expects. They must be given information about the job and the Control of Contractor Procedure document. Only competent contractors with relevant experience and professional qualifications must be employed.</p> <p>As the client, SBC shall provide a H&S vetting questionnaire to assess a contractor's ability to:</p> <ul style="list-style-type: none"> Demonstrate competence in the management of health and safety matters; Provide information on policies and procedures for the management of health and safety during a project; Provide a copy of their written health and safety policy (where applicable); Show how they will ensure health and safety if they employ subcontractors; Provide information on their past performances, e.g. accident/dangerous 	

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	<p>occurrences statistics, enforcement action by the Health and Safety Executive.</p> <p>Note: As a Client (defined within CDM Regulation 2015), if a construction contractor who is accredited with the Safety Scheme in Procurement (SSIP), SBC can accept the initial competence of the contractor has been undertaken for stage 1 criteria as defined within CDM 2015 Regulations.</p> <p>If a certificate of accreditation is not provided by the contractor, then the SBC Health and Safety Questionnaire must be completed. (See HSF 017).</p> <p>A further Stage 2 assessment should be undertaken to confirm work experience of similar nature.</p>	HSF 017 – H&S Contractor Questionnaire
2.	<p>Planning the Work</p> <p>The work having regard to:</p> <ul style="list-style-type: none"> • The provision of all relevant pre construction information in relation to Health and safety of all persons involved in construction works • Provision of suitable and sufficient welfare facilities • Review any construction phase plan as prepared by a contractor for all construction works • Consultation between the SBC Site Contact/Project Manager, other relevant Duty and Stake holders and the Contractor; • The need for any statutory assessments under the Management of Health and Safety at Work Regulations, e.g. COSHH, Manual Handling, LOLER, Noise, etc.; • The need for hazard identification and risk assessments; • The environmental impact of the work; • The timing and segregation of multiple contractors so that the activities of one does not create risks for the other; • The demarcation of the work area; • The need for any permit to work <p>The SBC Department must satisfy itself that it holds suitable and sufficient information regarding the competency and health and safety performance of any contractor it may employ.</p>	
3.	<p>Control on Site</p> <p>The SBC Site Contact/Principal Designer (when two or more contractors employed) will be responsible for liaising with the contractor and ensuring appropriate standards of health and safety with regard to the contracted work.</p> <ul style="list-style-type: none"> • Site access arrangements must be agreed with the relevant SBC Site Contact/Principal Designer prior to work commencing. 	

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- Contractors should obtain valid security clearances once arrived on site. They should be asked to sign a contractor's register and issued a pass on arrival to site. Contractors should not be allowed on site unless they fulfil all requirements of training and instruction, i.e., site inductions where required.
- Contractors must report to the SBC Site Contact/Principal designer before commencing any work.
- At the start of the work the SBC Site Contact/ Principal designer must inform the contractor of SBC's Emergency Procedures, including fire evacuation and the reporting of accidents and incident, with which the contractor has to comply.
- Any Department directly affected by the contract work should be involved at the planning stage and must be notified before any work commences.
- Contractors must be informed by the SBC Site Contact/ Principal designer of any SBC activity or process that might affect the contracted work or contractor's employees.
- Where a site or part thereof is wholly handed over to the Contractor, the site must be secured to prevent access by unauthorised persons and appropriate notices posted.
- The SBC Site Contact/ Principal designer should specify the extent to which barriers, fencing, or any other method of segregation or demarcation is required that enhances the safety and convenience of staff, users and visitors and minimises the potential of sporadic or accidental "trespass" on to the contractor's site by unauthorised personnel. This work is classed as Temporary works and should be formally designed, managed and controlled by the contractor
- If a contractor has been allocated a designated area, this must be cordoned off and appropriate notices displayed to prevent unauthorised access.
- All work must be carried out so as to cause the minimum of disruption or interference to the SBC's normal work activities or to its staff and users.
- Whilst on site, the contractor must ensure that the general behaviour and demeanour of his workers is such as not to cause offence or disturbance to any member of SBC. The contractor is expected to take appropriate action against any member of his team - including sub-contractors - where such practices are observed.
- Contractor's employees must comply with the SBC's fire precautions and emergency procedures including keeping fire exits clear and providing adequate fire extinguishers for use in relation to the contractor's activities.
- Smoking is not permitted in any building nor at or near main entrances to buildings.
- Where applicable, all site traffic signs are to be strictly observed by contractors including the speed limit, pedestrian crossing points and restricted parking areas.

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	<ul style="list-style-type: none"> No SBC machinery, equipment, materials, substances, services, etc. are to be used by the contractor unless prior approval has been given by the SBC Site Contact/Project Manager. Contractors must provide their own tools, plant and equipment. A valid PAT certificate must be available for each portable electrical appliance brought on site. All electrical tools and equipment must be either 110 volt or battery powered. Any flammable liquids and gases must be stored and used in accordance with statutory requirements. No excavation or digging may take place until the location of any underground services is ascertained. A Permit to Work may be required to undertake these activities. All excavations and open ducts must be properly guarded by the use of suitable barriers. Where there is a risk of injury to health from dust, fumes, vapours, etc. as a result of a contractor's activities, the contractor must take all necessary steps to ensure that exposure of all persons to these substances is kept to a minimum and to comply with the COSHH Regulations. It is the responsibility of contractors to remove all controlled waste from site that is produced in the course of work. Prior to work on site, documentation must be provided by the contractor which details the type of waste which will be produced and how they are planning to dispose of the waste. On completion of the work, documentary evidence must be provided to show the disposal of any controlled waste. Contractors must agree in advance with their SBC Site Contact/Project Manager the procedures for dealing with all other waste. If on-site disposal is required (e.g. a skip), then SBC procedure must be followed. Contractors are responsible for providing their own personal protective equipment appropriate to the work and associated risks to be undertaken. Contractors must wear recommended Personal Protective Equipment (PPE) for the work area, defined in the Risk Assessment/ Method Statement for the specific work task. Contractors must use the most effective noise reduction measures available, and plant likely to cause a disturbance must only be used at times agreed by the SBC Site Contact/ Principal designer. Contractors must ensure that their use of energy and resources is controlled to ensure minimal waste – e.g. water leaks must be repaired urgently and lights should be turned off when not in use. A Permit to Work may be required for specified types of hazardous operations or activities such as live electrical work, hot works, work at height, excavations, pressurised systems, confined spaces, etc. Permits must be obtained <u>before</u> commencing the work. 	
4.	Monitor & Review of the Work The SBC Site Contact/ Principal designer (where appropriate) will:-	

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	<ul style="list-style-type: none"> • Liaise with the contractor during the works and if defects are identified, ensure effective action is taken to correct them; • Review the contractor's overall performance in relation to the contract, including health and safety performance. • Keep appropriate records. 	
Appendices		
1.	CDM 2015 Regulations – Definition of Construction Works, Principal Designer, Principal Contractor & Commercial Client	Appendix 1

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Appendix 1

Construction (Design & Management) Regulations 2015 (CDM)

The CDM regulations demarcate Notifiable & Non-notifiable construction works:

A project is deemed notifiable (to the local enforcement authority) if the construction phase is likely to involve more than

- 30 days and more than 20 persons on site at any one time or
- More than 500 person days

Under CDM construction work is defined as follows:-

- construction, alteration, conversion, fitting out, renovation, repair, upkeep, other maintenance (including water/abrasive cleaning at high pressure), use of toxic or corrosive substances, decommissioning, demolition or dismantling of a structure;
- preparation, including site clearance, exploration, investigation and excavation, and the clearance or preparation of the site or structure for use or occupation at its conclusion;
- assembly or disassembly on site of a prefabricated structure;
- removal of a structure or part of a structure;
- installation, commissioning, maintenance, repair or removal of mechanical, electrical, gas, compressed air, telecommunication, computer or similar services as an integral part of structure;

Duties of the Principal Designer:-

- A Principal Designer must be appointed if more than x1 contractor is involved with a project.
- Assessing whether the project's finance and timescale allow it to be completed safely and without risks to health.
- Ensure Client aware of his duties
- Ensuring client provides all relevant H&S pre construction information to all parties involved with the project
- Assessing the design in terms of its impact upon health and safety during the construction work and future maintenance, cleaning and demolition of the works.
- Co-ordinating and ensuring co-operation between the Designers and the Principle Contractor.
- Ensuring designers comply with their duties - in particular, the avoidance and reduction of risk;
- Ensuring designers co-operate with each other for the purposes of health and safety;
- Ensuring they are able to give advice, if requested, to the client on competence and allocation of resources by designers and all contractors;
- Ensuring adequate provision of welfare facilities is provided by the contractor
- Advising the client on the health and safety plan before construction phase starts;
- Liaising with the Principle Contractor regarding the health and safety file, information for the health and safety plan and any design development which affects the planning and management of the construction work;
- When necessary, ensuring the project is notified to the Health and Safety Executive;
- Ensuring the health and safety file is prepared and delivered to the client at the end of the project.

Duties of the Principle Contractor:-

- Plan, manage and monitor the construction phase;
- To facilitate the co-operation and co-ordination between all parties involved;
- Liaise with the Principal designer in performing his duties during the construction phase in relation to design or changes to design;
- Ensure the welfare facilities comply with the regulations;
- Draw up a set of appropriate site rules for the construction site;
- Give reasonable direction and advice to any contractor;

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- Ensure contractors are aware of the minimum amount of time for planning and preparation and allow them to prepare within that time;
- Prepare the Construction Phase Plan & consult with contractors before finalising the Construction Phase Plan;
- Assist with the compilation of the Health and Safety File;
- Ensure the F10 Notice is displayed;
- Control access to the site;
- Provide a suitable induction;
- Inform and train a contractor with the same information as for Non-notifiable work;
- Comply with all duties as detailed within the CDM 2015 Regulations.

Duties of a Commercial Client: -

- Make suitable arrangements for managing their project, enabling those carrying it out to manage health and safety risks in a proportionate way. These arrangements include:
 - appointing the contractors and designers to the project (including the principal designer and principal contractor on projects involving more than one contractor) while making sure they have the skills, knowledge, experience and organisational capability;
 - allowing sufficient time and resources for each stage of the project;
 - making sure that any principal designer and principal contractor appointed carry out their duties in managing the project;
 - making sure suitable welfare facilities are provided for the duration of the construction work;
- Maintain and review the management arrangements for the duration of the project;
- Provide pre-construction information to every designer and contractor either bidding for the work or already appointed to the project;
- Ensure that the principal contractor or contractor (for single contractor projects) prepares a construction phase plan before that phase begins;
- Ensure that the principal designer prepares a health and safety file for the project and that it is revised as necessary and made available to anyone who needs it for subsequent work at the site;

For notifiable projects (where planned construction work will last longer than 30 working days and involves more than 20 workers at any one time; or where the work exceeds 500 individual worker days), commercial clients must:

- [Notify HSE in writing with details of the project](#)
- Ensure a copy of the notification is displayed in the construction site office.

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