

## Control of Contractors Policy

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### Scope

This policy applies to all NAS employees who are responsible for the appointment and / or management of contractors.

This policy does not cover large construction work or demolition where specialist help must be sought. The Construction (Design and Management) Regulations 2015 make special provision for construction work where the work will last for more than 30 working days and involve more than 20 workers simultaneously at any point in the project or exceeds 500 person days or involves any demolition work. Any work of this nature must be referred to the Head of Estates.

### Policy Summary

The NAS uses contractors for a wide range of activities including:

- Maintenance of Plant and Equipment
- Cleaning
- Agency Support Staff
- Painting and Decorating
- Window Cleaning
- Administration
- Building Work

The tasks are many and varied but whether extra help is needed to support the people we work with or a window needs to be re-glazed, care needs to be taken

to ensure that health and safety matters are dealt with correctly. This policy describes the five step approach that must be taken when using contractors.

## Introduction

Contractors are required by law (Health and Safety at Work etc Act 1974 Section 3) to carry out their work in such a way as to ensure, so far as is reasonably practicable, that they and others who may be affected are not thereby exposed to risks to their health and safety.

This requirement clearly imposes a duty upon contractors working for NAS.

However, this same statute imposes a duty upon NAS to carry on its work to ensure, so far as is reasonably practicable, that contractors are not exposed to risks to their health and safety whilst they are working.

It can be seen that duties are owed both by the contractor and to the contractor. There is a requirement for both parties to make the other aware of any risks.

Risks to contractors could include asbestos or challenging behaviour, and the NAS person letting the contract must make sure that the contractor is provided with risk assessments showing how these sorts of risks will be controlled for the duration of the contract. For example, if it is known that the work will involve drilling or breaking through the fabric of the building then the asbestos register must be made available so that the contractor can determine the risks and take suitable precautions. If the asbestos register does not clearly show the status of the material that is to be disturbed then arrangements must be made to analyse the material before work commences.

Risks to NAS employees and the people they support may be more obvious but nevertheless the contractor must show how the risks are going to be managed before the work starts.

Contractors will often be used to working in an environment where their tools and equipment can be left unattended. Even woodscrews left unattended, let alone screwdrivers, can constitute a significant hazard in some NAS environments. It is important, therefore, that these sorts of risks are understood and control measures agreed before the commencement of work.

Contractors should not normally be left unsupervised unless a formal written assessment shows that risks have been reduced to a tolerable level. In particular, consideration must be given to challenging behaviour risks, and the need for DBS checks.

Where a contractor carrying out the work has been employed by a third party e.g. a landlord or another contractor then the NAS manager will still need to ensure, so far as is reasonably practicable, that the contractor meets all of the

same requirements as set out in this policy. It may be necessary to get similar information about the work and the contractor from the third party. Where a manager is in any doubt about the adequacy of the health and safety arrangements made by a third party then they must not allow the contracted work to take place until they are satisfied that the health and safety risks are to be adequately controlled.

## **Managing Contractors (5 steps)**

- 1 Planning**
- 2 Choosing a contractor**
- 3 Controlling on site**
- 4 Monitoring**
- 5 Reviewing**

### ***1. Planning***

- Define the job
- Identify the hazards
- Assess the risks
- Consider control measures
- Specify control measures

### ***2. Choosing a Contractor***

- Ask questions
- Get evidence
- Ask for risk assessment and method statement
- Check competence
- Check insurance

### ***3. Controlling on Site***

- Induction
- Site Rules
- PPE
- Training
- Site contacts
- Communication

## 4. Monitoring

- Decide how much contact is needed
- Determine if work progressing as planned
- Ensure work is carried out in accordance with assessments
- Check on the reporting of accidents and incidents

## 5. Reviewing

- Determine if the contractor was competent
- Decide if this contractor should be used again in the future.

The five steps shown here provide the basics, but anyone who has a significant responsibility for the appointment of contractors must successfully complete appropriate NAS training, such as part C of the managers induction workbook and the Managing Contractors course and liaise closely with their Area Facilities Manager or the Head of Estates, where appropriate.

It can be seen from the five steps that it is very important to ensure that the contractor is going to work in a safe manner. Evidence can be obtained from larger contractors quite easily because they are required by law to document, for example, risk assessments and their health and safety policy. They must provide the information shown in Appendix 1.

Contractors employing fewer than 5 people may not have the same sort of documentary evidence that you would seek from a larger contractor. Where a contractor is unable to provide adequate evidence by completion of Appendix 1 then the Contractors' Code of Conduct and the Statement of Compliance for Small Undertakings (Appendix 2) must be used.

Where hot work is being carried out, or any other work where there is a significant risk, then a Permit to Work must be completed. (See HS-0310 Permit to Work Policy)

## Key Management Actions

- Carry out the action necessary before appointing contractors
- Manage contractors effectively
- Ensure contractors carry out work in a safe manner

## Appendix 1

### SECTION A - Contractor Details

1	Name(s) of Contractor / Organisation	
2	Name of undertaking	
3	Relevant professional bodies, trade federations etc	
4	Number of persons regularly employed by you	
5	Number of persons normally employed (direct/self employed)	
6	State the level of your Public Liability Insurance. (Copy Required)	
7	Is it your policy to ever sub-let works packages? If yes, what are your arrangements for sub-contractors?	
8	Provide two company references.	

### SECTION B - Management of Health and Safety

		Yes	No
1	Do you have a written Health and Safety Policy? Attach copy.		
2	Do you have copies of method statements / risk assessments for similar work carried out by your organisation? Supply examples.		
3	Will a Foreman / Manager be in control of works? Confirm how work on site will be supervised.		
4	Is there a named person within the organisation ultimately responsible for health and safety matters?		
5	Is the named person a Director or Partner?		
6	Has a Competent Person been appointed to assist your organisation with health and safety? Provide details.		
7	Do you have formal procedures for monitoring your health and safety performance?		
8	Do you have procedures to ensure that the work is completed to a satisfactory standard?		

## SECTION C - Training

		Yes	No
1	Have your management received health and safety training within the last 3 years?		
2	Have your site operatives, including sub-contractors, received health and safety training, within the last 3 years, in the tasks you expect them to perform on this project?		

## SECTION D - Health and Safety Records and Standards

		Yes	No
1	Do you implement formal procedures for reporting and recording accidents and ill health at work?		
2	Have you received any safety awards in the last 5 years?		
3	Have any Improvement or Prohibition notices been served upon you within the last 3 years?		
4	Have criminal proceedings been brought against your organisation, or any member of it, for breaches of health and safety legislation in the last 5 years?		

Signed: \_\_\_\_\_

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

For and on behalf of: \_\_\_\_\_

## Appendix 2

### Contractors' Code of Conduct

#### General

Contractors have a duty to their own employees to provide them with, amongst other things, a safe place of work, safe plant and equipment and a safe system of work (Health and Safety at Work etc Act 1974 s2). Contractors (including the self employed) also have a duty to others (e.g. NAS staff and service users) to ensure that they are not put at risk (HSW s3).

The NAS will endeavour to conduct their undertaking to ensure, so far as is reasonably practicable, that contractors are not exposed to risks.

Both parties must co-operate in co-ordinating their activities in order to ensure that statutory requirements are complied with (Management of Health and Safety at Work Regulations 1999, Reg 11).

#### Risk Assessments

It is expected that in order to comply with the foregoing the contractor will undertake risk assessments. NAS will, when requested, provide the contractor with as much information as is necessary to enable suitable and sufficient assessments to be carried out. In addition the NAS will, from its own assessments, make known any relevant hazards.

#### Documentation

Before work is undertaken by contractors for the NAS the following documentation is required:

- Copy of Health and Safety Policy
- Risk assessments showing control measures
- Safety Plan / Method of Work

Where a contractor is not required in law to have a written Health and Safety policy or written Risk Assessments (i.e. fewer than 5 employees) then the following "Statement of Compliance for Small Undertakings" must be signed.

