

TENDRING DISTRICT COUNCIL



POLICY FOR MANAGING CONTRACTORS FOR HEALTH & SAFETY

Issued by
Corporate Health & Safety
Environmental Services

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1.0 INTRODUCTION

1.1 Why this Policy

Under the Health & Safety at Work etc Act 1974, employers not only have a duty to their employees but also to those not in their employment but who may be affected by their undertaking. This includes the work of contractors.

The use of Contractors to undertake repair, maintenance and construction work is increasing, however, they are also a group that can be easily overlooked when considering health and safety policies and procedures in a workplace. Most safe working practices and emergency procedures of the Council relate to the employees and do not take into account the work of Contractors.

Contractors may increase the risks both to themselves and others in somebody else's workplace because they will unfamiliar with their surroundings and be unaware of the Council's safety policy and procedures, any specific hazards of a particular building or site and fire and emergency procedures.

It is important then that if you are involved in employing Contractors to work for Tendring District Council you plan for their health and safety both before and during the work period.

This policy and guidance has been produced to ensure that the Council considers the health and safety implications of employing Contractors no matter how many persons are employed or how long the job may be.

1.2 Definitions

Contractor

A Contractor is anyone who undertakes work for Tendring District Council who is not an employee. All types of work are included ranging from emergency call out repairs to long term maintenance contracts.

Contract Manager

A member of staff from Tendring District Council responsible for the Contractor or Contractors they have employed.

2.0 HEALTH & SAFETY LEGISLATION RELATING TO CONTRACTORS

2.1 Health & Safety at Work etc Act 1974

This Act applies to all work activities and puts general duties on employers with regard to health and safety.

Section 3 of the Act states that it shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected are not exposed to risks to their health and safety.

Every employer shall give to those not in his employment information about his undertaking that may affect their health and safety.

2.2 The Management of Health & Safety at Work Regulations 1992

These Regulations apply to everyone at work and require the following:

Employers must assess the risks which affect persons in the workplace, including contractors, and record the significant findings if five or more people are employed.

Employers must co-operate with contractors on health and safety matters

Employers must provide contractors with health and safety information

2.3 Construction (Design and Management) Regulations 1994 (CDM)

These Regulations are applicable to most type of construction and demolition work and require for the planning, co-ordination and management of health and safety throughout all stages of a project.

These apply specifically to any construction work that:

- is longer than 30 days or will involve more than 500 person days of construction work
This is notifiable to the Health and Safety Executive
- is not notifiable but involves five or more persons working carrying out construction work at any one time
- involves the dismantling or demolition of a structure no matter how many persons are involved.

The main requirements of the Regulations are to produce a health and safety plan for the construction work and a health and safety file for use once the construction work is complete.

The designer of the project must ensure that health and safety is considered from the first

design stage. The planning supervisor appointed must ensure the health and safety plan is produced and complied with throughout the construction phase.

Although the Regulations are not applicable to most maintenance and repair work carried out by contractors for the Council the principals of good health and safety planning and design should be applied to all contractual work.

3.0 HEALTH & SAFETY RESPONSIBILITIES

3.1 Duties of Tendring District Council to Contractors

Tendring District Council is committed to developing and maintaining a pro-active safety culture.

Tendring District Council will ensure that, so far as is reasonably practicable, a safe working environment and relevant information relating to health and safety is be provided to Contractors.

The Contract Manager will be responsible for ensuring contractors work in compliance with the Health and Safety at Work etc Act 1974 and all relevant regulations made under this Act.

The Contract Manager will ensure any unsafe practices undertaken by Contractors whilst working for Tendring District Council are stopped and the matter rectified. The Contract Manager will ensure Contractors who continue to undertake unsafe practices are immediately removed from the working site.

The Council's Corporate Health and Safety Team may inspect the work of Contractors to ensure compliance with legislation and this guidance.

3.2 Duties of the Contractor

The Contractor will at all times ensure they are working to compliance with the Health and Safety at Work etc. Act 1974 and all relevant regulations made under the Act. The Contractor will comply with the requirements of this document and guidance and ensure that they work in a safe manner and do not cause a risk to the health and safety to staff or visitors of Tendring District Council, or any others affected by their work.

Contractors must undertake to work in the manner required and follow any instructions given by the Contract Manager and The Council's Corporate Health and Safety Section.

4.0 MANAGING CONTRACTORS FOR HEALTH & SAFETY.

4.1 Planning for Contractual Work

Where possible it is important to plan for the job proposed well in advance of its starting. Box 1 lists the steps that should be followed to ensure all eventualities have been considered:

Box 1: Steps in the Planning Stage

1. The job should be defined.
2. A risk assessment should be carried out on the job proposed.
3. This should be a common sense approach to:
 - identifying any hazards
 - identifying the significant risks and how they will be eliminated or controlled
 - Assign the responsibility for controlling the risks to either The Council, the contractor or jointly.
 - Inform the Contractor of the risks identified.
4. Appendix A is the form that must be completed and given to the chosen contractor before work commences, unless a similar suitable method is adopted.

It is expected that many jobs will be part of long term contracts or be repeated as part of a repair and maintenance contract. In these cases a generic risk assessment can be produced to cover these jobs. These assessments should be reviewed annually or if significant changes occur.
5. If work is to be carried out on buildings owned by the Council, the Asbestos Policy and database must be first be checked for clearance to work. The information must be provided to the chosen Contractor.
6. A permit to work system may need to be drafted if the work is of a high risk or unusual in nature. Permits must always be used if the work involves entry into confined spaces, hot work or work on high voltage electricity. Appendix B gives an example of a Permit to Work form to be used.
7. All chosen contractors must be issued with a copy of Tendring District Council's Health & Safety Policy and Health & Safety Guidance for Contractors employed by Tendring District Council.(Copy shown in Appendix C). This may not be required for work carried out under CDM where health and safety has been highlighted in the plan.
8. Communication channels must be put in place between the Council and the Contractor. The Contract Manager must ensure a point of contact for the Contractor at all times whilst they are working for The Council.

4.2 Choosing a Contractor

4.2.1 Competence

Regulation 8 of the CDM Regulations requires for competent contractors to be employed. It is advisable then to ensure all contractors, whether undertaking CDM work or not, are competent to undertake the work concerned.

When having regard to competence, health and safety should be a key condition. There are several factors that should be considered and these are shown in Box 2:

Box 2: Factors to Consider when Choosing Contractor

- The knowledge and understanding of the work involved
- Relevant qualifications and experience
- The health and safety standards demonstrated
- Previous work undertaken for the Council if relevant
- The range of abilities required for the proposed work

Only those contractors who meet the level of competence required for the job should be employed by the Council. Certificates of competence and recognised qualifications/registrations of institutes e.g. CORGI, IEE, will be required where appropriate.

If a serious incident occurs which involves a Contractor then the Contract Manager will be required to demonstrate how they determined the level of competence required.

4.2.2 Health and Safety Policies and Compliance

When inviting for tenders or quotations for work it is important to state the conditions the Contractor has to meet to comply with the Council's health and safety requirements. Contractors should be asked to complete a "Health and Safety Questionnaire for Contractors" (see Appendix C) which can be used to assess the health and safety management arrangements and history of the contractor. Documentation such as the Contractor's health and safety policy or practices and procedures must also be submitted. Alternatively an equivalent vetting system can be used.

Even if they are a small business written documentation would be expected concerning their own health and safety issues.

If the same Contractors are regularly employed they must submit this documentation on an annual basis.

The health and safety policy must be examined before any contract is issued. It can be passed to Corporate Health and Safety with details of the job proposed, who will examine the document for its suitability. Box 3 gives guidance on a suitable health and safety policy.

Box 3: Contents of Suitable Health and Safety Policy

- Suitable health and safety arrangements
- Suitable health and safety practices for first aid and accident reporting
- Clear responsibilities for supervision
- Provision of suitable work equipment and procedures for safety checks
- Provision of suitable personal protective equipment
- How risks will be controlled whilst working including having regard to staff and visitors of the Council or tenants.
- How sub contractors will be supervised if employed

5.0 CONTRACTORS WORKING ON SITE

5.1 Arrival, Identification and Location

Contractors must be easily identifiable to members of staff or tenants for safety and security reasons.

The Contract Manager must ensure that where the Contractor is employed to work in accommodated buildings they are issued with a Tendring District Council security ID card which must be worn at all times. If appropriate the Contractor should wear an identifiable uniform of their company.

The Contractor must be given the name of the Contract Manager, who they must be able to contact in the case of an emergency, accident or incident or to discuss alterations to the job method that may affect health and safety practices.

Where the Contractor is working in accommodated buildings, when first arriving on site the contractor must report to the reception, warden or tenant of that building and inform them of where and when they will be working. In the event of a fire evacuation the contractor presence can be monitored. The Contractor will inform reception, warden or tenant when they leave the building.

5.2 Fire Safety and Health and Safety

The Contract Manager must ensure that Contractors have been issued with a copy of the Contractors Health and Safety Guidance (Appendix C) which gives general health and safety and fire safety rules which must be adopted when they are on site. They must also be issued with the risk assessment for the job and any other instructions regarding specific risks identified.

If working in office buildings or sheltered accommodation the Contract Manager must ensure the Contractor has been made aware of the fire evacuation procedures.

Any new Contractors to Tendring District Council must be shown to their work area and if appropriate given clear instructions as to the location of the fire exits, fire extinguishers and emergency call points.

5.3 Safe Working Practices

The Contract Manager must implement a system to monitor the Contractor to ensure that they are working in a safe manner. The monitoring should include checking:

- The use of work equipment which is in good condition and appropriate for the job.

- The use of suitable working clothes or overalls and appropriate personal protective equipment.
- The undertaking of the job in such a way as not to cause any significant risk either to themselves or others such as members of staff, visitors or residents. This may include cordoning off the area they working in, displaying appropriate warning signs and not allowing any materials or equipment to be left unattended.

If the Contract Manager finds that unsafe working practices are taking place they must immediately instruct that the practice is stopped and matters rectified before it is allowed to commence again. If necessary Corporate Health and Safety should be contacted for further advice and guidance.

6.0 MONITORING OF THE POLICY

Corporate Health and Safety will undertake monitoring of the implementation of the policy during the routine health and safety inspections of the Services

In addition The Corporate Health and Safety Manager and Health and Safety Advisor will carry out random health and safety inspections on Contractors whilst they are working for Tendring District Council. They will be checking for compliance with health and safety regulations and good practice by the Contractors and also that they have been made aware of Tendring District Council's safety policies.

The Contract Manager when requested will inform Corporate Health and Safety of contractual work that is taking place. The Contract Manager may be invited to accompany Corporate Health and Safety when they carry out these inspections.

If it is found that health and safety regulations are being breached or unsafe practices are taking place then Corporate Health and Safety will insist that the work practice is stopped. The matter will be reported to the Contract Manager and work will only recommence if the matter can be suitably rectified. Should this not be the case the Contractor will be asked to leave the site. The Contract Manager must arrange for the job to be completed by competent Contractors whose working methods will first have to be agreed with Corporate Health and Safety.

The Contract Manager will be expected to follow the recommendations given by Corporate Health and Safety in connection with health and safety matters relating to contractual work.

Appendix A: Risk Assessment Form

Description of Job:.....

Risks Identified	Persons at Risk C= Contractor S= Tending DC Staff T= Tenants P= Public	Control Measures Required	Responsibility 1=Council 2=Contractor 3=Joint

Appendix B: Permit to Work

**Tendring District Council
PERMIT TO WORK**

Permit Number:

Date of permit
issue:

Job Location	Room: Building: Address:
Description of work and its limitations	
Hazard Identification	1. 2. 3. 4.
Precautions	1. 2. 3.
Protective equipment	1. 2. 3.
Authorisation for work commencement To be signed after risk assessment by a Tendring District Council Manager or authorised officer of the council	Signed: Printed:
Work completed	Contractor signature: Date:
Signature and date of permit cancellation	Signed: Date: Printed:

Appendix C: Health and Safety Guidance for Contractors

TENDRING DISTRICT COUNCIL



HEALTH & SAFETY GUIDANCE FOR CONTRACTORS

Issued by
Corporate Health & Safety
Environmental Services

1.0 INTRODUCTION

This document is intended to inform Contractors employed by Tendring District Council with the health and safety standards and requirements expected of them whilst they are working for The Council. It also gives basic information to Contractors regarding the Council's own health and safety standards..

All Contractors must have regard to this document whilst they are working for Tendring District Council as they will be expected to comply with the requirements contained within it at all times.

Contractors who have been employed under the Construction Design and Management Regulations 1994 (CDM) will be required to comply with the health and safety plans drawn up under these regulations.

2.0 HEALTH & SAFETY RESPONSIBILITIES

2.1 Duties of Tendring District Council to Contractors

Tendring District Council is committed to developing and maintaining a pro-active safety culture.

Tendring District Council will ensure that, so far as is reasonably practicable, a safe working environment and relevant information relating to health and safety is be provided to Contractors.

The Contract Manager will be responsible for ensuring Contractors work in compliance with the Health and Safety at Work etc Act 1974 and all relevant regulations made under this Act.

The Contract Manager will ensure any unsafe practices undertaken by Contractors whilst working for Tendring District Council are stopped and the matter rectified. The Contract Manager will ensure Contractors who continue to undertake unsafe practices are immediately removed from the working site.

The Council's Corporate Health and Safety Section may inspect the work of Contractors to ensure compliance with legislation and this guidance.

2.2 Duties of The Contractor

The Contractor will at all times ensure they are working to compliance with the Health and Safety at Work etc. Act 1974 and all relevant regulations made under the Act. The Contractor will comply with the requirements of this document and guidance and ensure that they work

in a safe manner and do not cause a risk to the health and safety to staff or visitors of Tendring District Council, or any others affected by their work.

Contractors must undertake to work in the manner required and follow any instructions given by the Contract Manager and The Council's Corporate Health and Safety Section

3.0 HEALTH AND SAFETY INFORMATION FOR CONTRACTORS

3.1 Tendring District Councils Health and Safety Policy

A copy of Tendring District Councils Health and Safety policy will be provided to all Contractors.

3.2 Fire and Emergency Evacuation

Figure 1 is the emergency evacuation procedure relevant to all workplace buildings.

Contractors must ensure that they evacuate the building as soon as possible and follow staff to the assembly point. Contractors must give their details to the member of staff who takes charge of the evacuation.

Fig 1. Tendring District Council Fire And Emergency Evacuation Procedure

<p><u>THE FIRE ALARM</u></p> <p>The fire alarm is activated from several independent, manual call points around the building. They are small, red, glass fronted boxes on the wall. Breaking the glass releases a central button and activates the alarm. The alarm is a continuous sounding, loud bell.</p> <p><u>DISCOVERING A FIRE</u></p> <p>Any person discovering a fire should:</p> <ul style="list-style-type: none">▪ Remain calm▪ Break the glass on the nearest call point.▪ If the fire is small and presents no personal danger, attempt to control it by using the appropriate extinguisher. Wall mounted signs accompanying the extinguisher to identify its type and use.▪ If the fire cannot be easily brought under control evacuate immediately, closing all doors and windows and switching off any electrical equipment if possible as the area is evacuated. <p><u>ON HEARING THE ALARM</u></p> <p>Leave the building immediately by following the signs to the nearest available fire exit. Do not stop to gather up personal items and never try to return for any reason.</p> <p>Go to the assembly point and report to the member of staff in charge who will be wearing a high visibility waistcoat.</p>

3.3 First-Aid

Contractors will be expected to organise their own first-aid requirements and carry appropriate first-aid boxes with them. However, The Council does have a number of trained

first-aid personnel that would be able to assist contractors if required. Should first-aid assistance be required Contractors should either contact the Contract Manager or a member of staff.

3.4 Risk Assessment

The Contract Manager will issue the Contractor with a completed risk assessment of the proposed job before it commences which identifies the risks and control measures and assigns the responsibilities for these to the appropriate body. Where appropriate more specific information or instructions relevant to health and safety may also be issued.

If the contractor is employed to carry out a long term contract for the Council then an annual generic risk assessment will be issued.

3.5 Asbestos

Where appropriate job will have been checked for asbestos containing material and the relevant information provided to the Contractor.

3.6 Permit to Work

A permit-to-work system will be issued if required. This is a formal written system used to control certain types of work that are potentially hazardous. They allow work to start only after safe procedures have been defined and they provide a clear record that all foreseeable hazards have been considered.

Examples of situations where a permit to work may be required are:

- Hot work
- Work with hazardous substances
- Entry into confined spaces
- Certain types of electrical work
- Excavation
- Roofwork

4.0 HEALTH AND SAFETY REQUIREMENTS OF THE CONTRACTOR

4.1 Health and Safety Policy

A written health and safety policy or similar document is required of all Contractors and will be submitted on invitation to tender or quotation for work. It will then be required annually for inspection by the Council's Corporate Health and Safety Service. However, exemption from this requirement may be sought if other vetting procedures have been used.

4.2 Risk Assessment

A suitable and sufficient risk assessment of the job shall be carried by the Contractor. The assessment must include:

- The significant risks identified to his employees
- The significant risks identified to persons not in his employment.
- The control measures implemented to reduce the risks identified

A copy of the risk assessment may be required to be submitted to the Corporate Health and Safety Service.

4.3 Accident Reporting

Contractors will be responsible for maintaining accidents records and for reporting any incident reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR).

Any accident or incident that occurs whilst working for Tendring District Council must be reported to the Contract Manager who will if necessary carry out any further investigation that is required.

4.4 Competent Personnel

The contractor and their employees must be adequately trained and competent to carry out the work they are employed for.

Certificates of competence and recognised qualifications/registrations of institutes e.g. CORGI, IEE, may be required to be submitted.

4.5 Security and Identification

Contractors must make themselves clearly identifiable for security purposes. A Tendring District Council ID card will be issued to those Contractors employed to work in the accommodated buildings. This must be displayed at all times.

Where the Contractor is working in accommodated buildings, when first arriving on site the Contractor must report to the reception, warden or tenant of that building and inform them of where and when they will be working. In the event of a fire evacuation the Contractor presence can be monitored. The Contractor will inform reception, warden or tenant when they leave the building.

4.6 Dress Code

Contractors will be expected to wear company work wear if provided. If not provided they will be expected to be dressed in clothes appropriate for the job concerned. Acceptable clothing may be trousers, long jeans, shirts, tee-shirts and sweatshirts.

Shorts and vests are not considered acceptable standards of dress whilst working in the office accommodation.

4.7 Personal Protective Equipment (PPE)

The Contractor will be expected to provide and use appropriate personal protective equipment for the job. All PPE must comply with the Personal Protective Equipment at Work Regulations 1992 and all relevant British Standards.

Where appropriate the Contract Manager of the Councils Corporate Health and Safety Section may insist on certain PPE being provided and used by the Contractors.

4.8 Tools and Equipment

All tools and equipment must be suitable for use, be well maintained and in good working order. They must comply with the Provision and Use of Work Equipment Regulations 1998.

Where electrical equipment is used the contractor must be able to provide records of safety testing.

All Contractors and their employees that will be expected to use the equipment on site will be trained to a level of competency for that equipment.

4.9 Ladders and Access Equipment

Ladders must be suitable and used for the purpose and in the manner for which they were designed

Ladders stepladders and all access equipment must inspected and/or tested by a competent person for safety. Records of inspection may be asked for.

Ladders and access equipment will be of industrial specifications (e.g. class 1 or 2 dependant on usage) and not rated for domestic use.

Ladders and towers will have the manufacturer, BS number and the class & duty rating clearly marked on them. This is to be in the form of a sticker and not as a tie on label.

The labels will comply with the relevant BS and be

- blue for class 1
- yellow for class 2

4.10 Signage and Access

Appropriate signage must be displayed to warn others of the risks of the work involved.

Safety signs must be in compliance with The Health and Safety (Safety Signs and Signals) Regulations 1996.

Where necessary access by others must be restricted by the use of appropriate physical barriers and signage.

4.11 Fire Safety

Contractors must undertake their work in such a manner as to ensure that the risk of fire and its spread is minimised.

When working in accommodated buildings the propping open fire doors or disabling of door closer mechanisms is not permitted unless essential to the work undertaken.

All fire escape routes must be kept clear as far as possible and fire exits must not be blocked.

All flammable substances e.g. solvents, cleaning materials and paints when not in use must be removed from Tendring District Council premises. They must never be stored in electrical cupboards, boiler rooms or other high risk areas.

Work with flammable substances or other hot work may require a permit to work. This will be issued by the Contract Manager if required.

Any flammable waste generated will be periodically removed to reduce the build up of flammable materials on site.

Where the material is removed to a skip, vehicle or other container, it shall not be placed in a position that will cause risk to the building and its occupants should a fire break out or be started in it.

4.12 Control of Substances Hazardous to Health Regulations (COSHH) 1999

Where hazardous substances are required to be used a COSHH assessment must have been carried out. This assessment must be produced if requested. Full compliance with the regulations will be expected.

Hazardous substances include:

- Substances used directly in work activities (e.g. adhesives, paints, cleaning agents);
- Substances generated during work activities (e.g. fumes from soldering and welding)

Employees of Tendring Council and others must not be put at risk by exposure to these substances.

Permits to work or special conditions may be issued by the Contract Manager that must be complied with. These may include limitations to the work and outline safe practices to be observed.

Appendix D: Health & Safety Questionnaire for Contractors
TENDRING DISTRICT COUNCIL

HEALTH & SAFETY QUESTIONNAIRE FOR
CONTRACTORS

The purpose of this Questionnaire is to obtain information from which we can assess the extent to which Health and Safety management is organised within your Company.

Your answers should cover all your activities and not just those conducted on our sites.

The Questionnaire should be completed by a senior manager or senior person in the company.

Please answer each question fully and use separate sheets if necessary. Please provide copies of supporting documentation as far as practicable.

Following receipt of your submission, we may wish to discuss it with you at a mutually convenient time.

COMPANY DETAILS

Name of Business

Address of Business

Telephone:

Nature Of Work

--

No. Employees

SIGNED DATE.....

SECTION A: HEALTH AND SAFETY POLICIES

1. Does your Company have a Health and Safety Policy Document? (If YES, please attach a copy).

YES	NO
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2. Who has overall and final responsibility for Health & Safety matters in your organisation?

Name _____ Position _____

3. Do they have any safety related qualifications?

YES	NO
-----	----

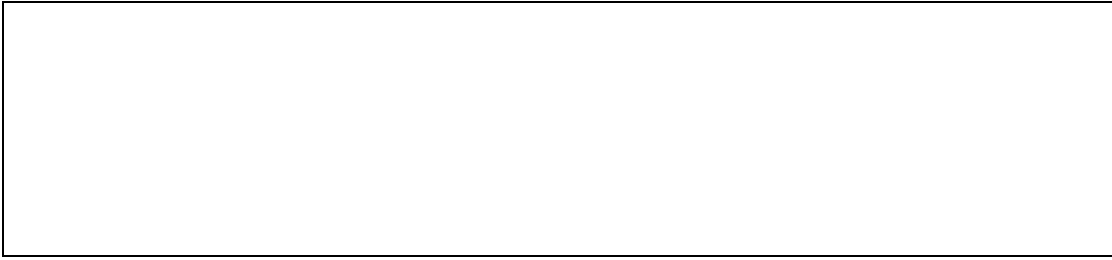
If yes please detail

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4. Please explain how you have drawn your Policy Statement to the attention of all your employees.

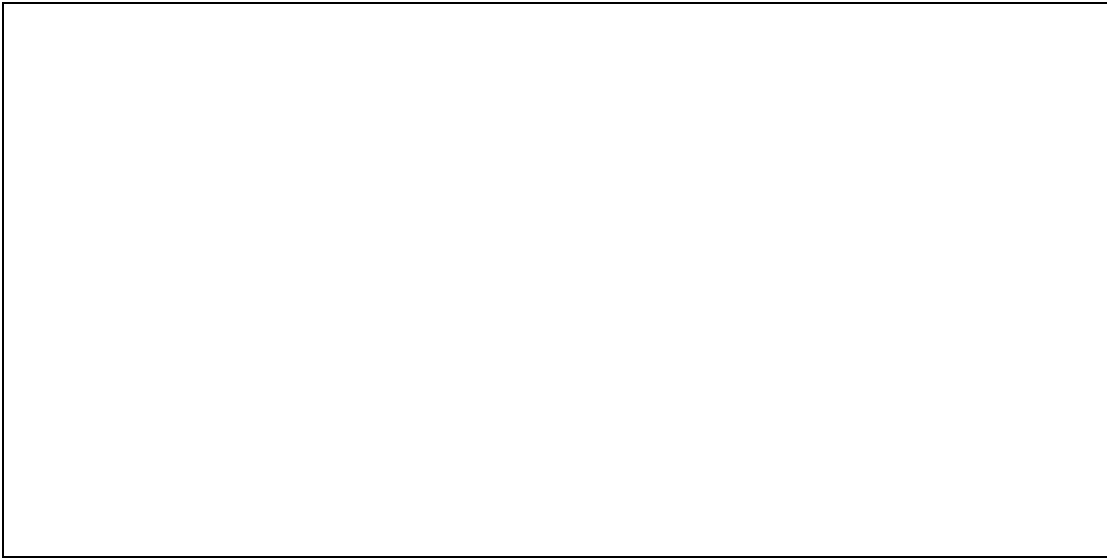
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5. How do you assess the safety competency of sub-contractors and companies with whom you will place contracts?



SECTION B: MANAGEMENT AND SUPERVISION OF WORK ACTIVITIES

6. How do you ensure the safety of premises, sites and other locations where your employees are working?



7. How do you ensure the safety of the working practices and procedures used by your employees on-site?

SECTION C: HEALTH AND SAFETY AND OTHER TRAINING

8. Does your company have a safety training policy?

YES	NO
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Please give details of the level of training given, how it is delivered and who in the Company receives it

9. How do you assess the competence of your employees to undertake their work?

10. Have you identified areas of your Company's operations where specialised training is required to deal with potential dangers?

YES	NO
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If YES, please itemise and provide details of training given

SECTION D: EQUIPMENT CONTROL AND MAINTENANCE

11. How do you ensure that plant and equipment used on site by your employees is correctly registered, controlled and maintained in a safe working condition?

12. How do you ensure all on site electrical equipment is maintained and complies with the Electricity at Work Regulations 1989?

SECTION E: PERSONAL PROTECTIVE EQUIPMENT

13. What arrangements does your Company have for the provision, use and maintenance of personal protective equipment?

SECTION F: INCIDENTS ACCIDENTS AND INJURIES.

14. Please state the number of statutory notifiable accidents or dangerous occurrences (as defined under the RIDDOR 1995 requirements) that have occurred within the past three years?

1999	
2000	
2001	

Please provide details including types, causes and follow-up preventative measures taken

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SECTION G: IMPROVEMENT NOTICES, PROHIBITION NOTICES AND PROSECUTIONS

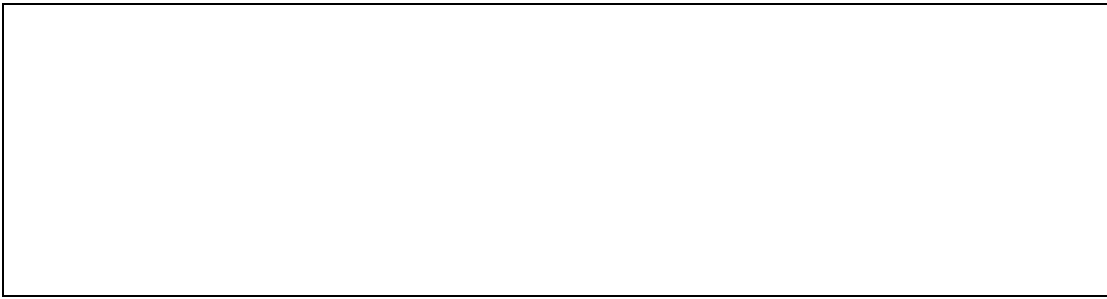
16. Have you been served an Improvement Notice or Prohibition Notice by the Enforcing Authority or been prosecuted under any health and safety Legislation within past five years?

Improvement Notice	YES	NO
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Prohibition Notice	YES	NO
--------------------	-----	----

Prosecution	YES	NO
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If YES, please give details



SECTION H: FURTHER COMMENTS

17. Are there any other safety arrangements, systems of work, or monitoring that you have in place that you have not described elsewhere?

