

EAST DUNBARTONSHIRE COUNCIL

HEALTH & SAFETY POLICY

MANAGEMENT OF CONTRACTORS

HSP05

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DOCUMENT CONTROL AMENDMENT RECORD

Date	Issue No	Amendment	Person Responsible for Amendment
April 22	01	Initial issue	C. Hannigan/L. Gold

1. INTRODUCTION

East Dunbartonshire Council (EDC) has a legal duty under the Health and Safety at Work Act 1974 to ensure the health, safety and welfare at work of its employees. Additionally, The Management of Health and Safety at Work Regulations 1999 (MHSWR) require that every employer undertake risk assessments to identify potential hazards to employees' health and safety and anyone who may be affected by their work activity.

Besides carrying out a risk assessment, EDC have a duty to also;

- appoint competent people to help implement the arrangements;
- set up emergency procedures;
- provide clear information and training to employees;
- work together with other employers sharing the same workplace.

This document has been created to provide a suitable and sufficient procedure for the management of contractors.

The appropriate selection and subsequent control of any contractor working for East Dunbartonshire Council is crucial to the success of good health and safety management.

Failure to adequately manage contractor's activities will put East Dunbartonshire Council employees, members of the public and the contractors (including any sub-contractors they may have engaged) at risk of injury and may leave East Dunbartonshire Council exposed to enforcement action and potential prosecution.

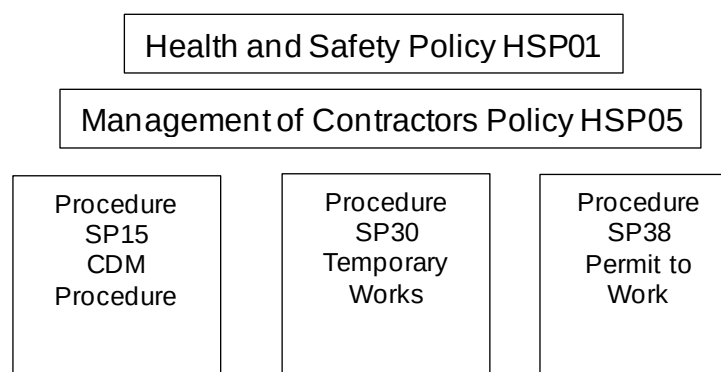
2. SCOPE

This policy applies to the selection, control and arrangements of any contractor who is contracted to work for East Dunbartonshire Council in relation to Health and Safety requirements and compliance with the Council's Health and Safety Policy.

The management of the selection and control process applies to any East Dunbartonshire Council Service who invites a contractor to complete work on behalf of any Council service or through the procurement process.

Where pertinent, the requirements of this policy apply to contractors, and to any sub-contractor whom a designated contractor employs on their behalf.

This policy forms part of the overall Health and Safety Policy and is supported by a suite of specific Health and Safety Procedures and Forms.



3. ROLES AND RESPONSIBILITIES

3.1 CHIEF EXECUTIVE

The Chief Executive has ultimate responsibility for health and safety and for making sure that contractors and contractor's activities are appropriately managed

It is important to acknowledge that the Chief Executive's responsibilities are shared, in that the Depute Chief Executive, Executive Officers and Managers will be responsible and accountable within their areas of responsibility for ensuring appropriate contractor management.

3.2 EXECUTIVE OFFICERS & MANAGERS

The Executive Officers and Managers must ensure the following:

- Adequate resources and competent person(s) are allocated to support the implementation of this Health and Safety Policy and relevant associated Health and Safety legislation.
- Nominated person(s) are supported in the implementing of measures of this Health and Safety Policy to comply with relevant legislation

3.3 HEALTH AND SAFETY TEAM

The EDC Health and Safety Team will advise the management in fulfilling their duties in regards to the implementation of this health and safety policy and associated regulations and guidance.

In particular, the Health and Safety Team shall:

- Advise the Executive Officer, Service Manager, Team and Squad Leaders and relevant officers in fulfilling their duties.
- Work with teams to provide feedback about actions and control measures that may need to be taken to prevent harm and protect employees.
- Provide and reinforce training and education on health risks associated with certain tasks.
- Monitor the compliance with this policy and the associated regulations and guidance by carrying out periodic audits and inspections and issuing subsequent reports detailing any possible gaps or issues that need to be addressed.

4. DEFINITIONS

Contractor: Anyone who East Dunbartonshire Council employs to work for them but who is not an employee, with the exception of agency staff and mobile workers.

Contractors may be involved with, but not exclusively, the following: construction/building work, maintenance, cleaning, electrical work, repairs, installation work, demolition, etc.

Client: An authorised person or Officer of East Dunbartonshire Council who appoints contractors to carry out works (also referred to as the responsible Contract Manager for the purposes of the processes

attributed via East Dunbartonshire Council's Contract & Supplier Management process).

Sub-Contractor: A contractor who is normally brought in by, and works directly for, the Contractor.

Note: Both the Client and the Contractor have clearly defined roles and duties under Construction, Design and Management Regulations 2015 (CDM Regulations) which should be complied with in relation to any construction work. SP15 CDM Procedures will apply further to this policy.

5. PROCEDURE

East Dunbartonshire Council will ensure that all contractors are properly vetted from a Health & Safety perspective and only contractors who can demonstrate their ability to discharge their primary responsibility to safeguard their employees and others, will be employed by East Dunbartonshire Council.

Where relevant and within the work scope, Contractors must comply with all legal requirements, Industry Guidance, Health and Safety Guidance, British and European Standards and Approved Codes of practice should be followed and included as minimum standard of the works to be undertaken, where relevant to work activity.

Particular attention must be given to the Health & Safety at Work Act 1974 and any Regulations made under the Act, The Environmental Protection Act and also the Construction (Design & Management) Regulations 2015.

Under the Management of Health and Safety Work Regulations 1999; the contractor must:

- Assess the risks to the Health and Safety of their employees and anyone else that may be affected by their undertaking.
- Make adequate arrangements for the effective planning, organisation, control, monitoring and review of preventative measures established as a result of the foregoing assessment.

Under the Construction (Design and Management) Regulations 2015, Clients, Designers, Planning Supervisors, Contractors and the Self-employed are required to plan, co-ordinate and manage Health and Safety throughout all stages of the contract.

5.1 PROCUREMENT TEAM

Contractors who are enlisted to work for East Dunbartonshire Council must first be vetted for their ability to perform to acceptable health, safety and environment standards.

It is the responsibility of the Service Manager enlisting the services of a Contractor to liaise with the Procurement team to ensure that the Contractor meets the criteria set in the latest revision of the Single Procurement Document (SPD) such as:

The contractor must hold a UKAS (or equivalent), accredited independent third party certificate of compliance in accordance with ISO 45001 (or equivalent) or have, within the last 12 months, successfully met the assessment requirements of a construction-related scheme in registered membership of the Safety Schemes in Procurement (SSIP) forum

OR,

The contractor must have a regularly reviewed and documented policy for Health and Safety (H&S) management, endorsed by the Chief Executive Officer, or equivalent. The policy must

be relevant to the nature and scale of the work and set out responsibilities for H&S management at all levels within the organisation. The policy must be relevant to the nature and scale of the operations/contracted work and set out the contractor's responsibilities of health and safety management and compliance with legislation.

Relevant arrangements and procedures documents will be submitted to the Service or Team who has contracted the work. These in turn will be shared with the Health and Safety Team for review and comment, where relevant and necessary, according to internal Health and Safety Procedures.

Examples of arrangement documents and procedures are noted below (list is not exhaustive):

- Effective measures in reducing/preventing incidents, occupational ill-health and accidents.
- Contractors' workforce has suitable qualifications, experience and competency for the tasks assigned.
- Recording of accidents/incidents and undertaking follow-up action. This will include RIDDOR reportable events which are directly connected to the work undertaken on behalf of the Council.
- Documented arrangements for carrying out risk assessments capable of supporting safe methods of work and reliable contract delivery where necessary.
- Must meet any health and safety requirements placed upon the contractor by law.

5.2 AUTOMATIC APPROVAL

There is no opportunity for automatic approval of Contractors within EDC, only contractors that have been approved via the successful completion of the SPD can be used.

In exceptional circumstances **and only** with the approval of the Procurement Manager and Executive Officer may a contractor who has not completed the SPD process be enlisted to complete work for EDC. The contractor must submit safety procedures to the Health and Safety Team.

In this event, the Contractor must meet the criteria of one of the following Safety Schemes in Procurement (SSIP) and must meet any health and safety requirements placed upon the contractor by law.

SMAS, Worksafe, CHAS, National Britannia Safe Contractor, Construction Line, Achilles Verify or Linkup, ISO 45001, (check SSIP website for definitive list).

5.3 FRAMEWORK CONTRACTORS

Framework contractors must be reviewed each and every year for their Health and Safety performance, submitting revised Risk Assessments and Method Statements (RAMS) for the work that will be undertaken throughout the year which fall under scheduled maintenance work, and records of accident rates and frequency for all RIDDOR reportable events for at least the last year. They must demonstrate a system for reviewing significant incidents, and recording action taken as a result, including action taken in response to enforcement.

For any deviation from the scheduled maintenance work, RAMS for the particular work must be submitted and, where appropriate, other relevant certificates of technical compliance and training.

5.4 ASSESS THE RISKS OF THE WORK

Prior to work commencing, and at appropriate intervals during the project, the hazards and level of risk should be assessed and re-assessed as necessary. The Contractor will be required to discuss risk evaluation and risk control issues with the Service or Team which has sought the contractor's work, and where relevant this information shared with and reviewed by the Health and Safety Team.

The relevant Team will provide as much information as possible in relation to the works to be undertaken such as pre-construction information for any construction related work.

The Contractor must contact the relevant Service Manager to establish the following:

- Area or site of operations.
- Availability of Welfare facilities available where appropriate for use by the contractor's employees (i.e. canteen, toilets, first aid, drinking water etc.).
- Any special information about East Dunbartonshire Council processes or premises which may affect the contract work, including hazards that may be present in the workplace. In addition, the contractor must refer to the property manual (Six Pack) which is retained at each Council establishment for further health and safety information e.g. local fire procedures, whereabouts of asbestos if appropriate and hazards specific to the individual property.
- The safe conduct of the work to be undertaken including any hazards which the contractors may introduce. This will include the provision by the contractor of a written method statement, risk assessment, site safety plans, liability insurance, training records, plant or equipment maintenance records where applicable and a copy of the F10, where appropriate.
- Contractors' employees are expressly forbidden to carry out work unless their representative has received authorisation from East Dunbartonshire Council.

Specifically for CDM Contractors:

It is incumbent on the relevant Service placing the order to ensure that the Contractor provides the relevant Construction Phase Plan (CPP) with job specific method statements and risk assessments (RAMS) for the works as part of the contractual process. The CPP and associated RAMS must be obtained a minimum two weeks prior to works starting.

The CPP and RAMS will then be issued to the Health and Safety team for review.

Contractors must not be allowed to commence works without these documents being presented and reviewed by the Health and Safety Team on the D03 Contractor RAMS Review Form.

It is the ultimate responsibility of the Service to ensure that construction phase health and safety plans, risk assessments and method statements specific to the works taking place are physically on site and signed off as suitable and sufficient for the activities taking place. No works should start until this is the case.

5.5 DESIGN/PLANNING MEETINGS

Where appropriate, Contractors should be invited to planning and design meetings. e.g. where they have some design input, or where they will be able to contribute to the effectiveness of the project planning. The Service or Team should keep a record of all such meetings (please refer to templates available within the Contract & Supplier Management toolkit available on the HUB)

5.6 PRE-START

Contractors should be required to attend pre-start meetings as appropriate.

Where appropriate, the health and safety information provided by the contractor will be integrated into the EDC CDM Construction Phase Health and Safety plan, where applicable.

5.7 CONTRACT REVIEW MEETINGS

As appropriate, contractors will be required to attend review meetings to discuss progress and health & safety performance. The Service should keep a record of all such meetings i.e. who attended, what was discussed and any action agreed upon (please refer to the Contract & Supplier Management toolkit available on the HUB)

5.8 SELECTION OF SUB-CONTRACTORS

Contractors may only sub-contract in accordance with the terms and conditions laid out in the relevant contract conditions.

Contractors subcontracting the works should ensure subcontractors have the same standards in Health and Safety as the requirements set out during the tender and appointment process and default to adhering to the Contractor's Health and Safety arrangements.

5.9 PERMIT TO WORK SYSTEMS

Where it has been established that a specific operation poses a high risk and requires strict controls on the circumstances under which the work can be performed, the work will be carried out on a permit to work basis. The method statement and permit must be strictly supervised and enforced by the Contractor.

Some operations such as entry into confined spaces, work at heights, hot works, cold works, isolation certificate, asbestos related works, high voltage electrical isolation certificate, excavations, diving, lifting operations, maintenance and inspection of pressure systems, equipment disjoining certificate/breaking containment permit, machinery certificate, isolation certificate, heavy equipment movement, radiation etc. will require a permit to work under specific statute.

This list is not exhaustive and should you require further advice on permit to work systems liaise with the Health and Safety Team.

5.10 MONITORING OF CONTRACTORS PERFORMANCE

Regular monitoring of contractor activities is crucial to maintaining acceptable health and safety performance:

- Trained and competent Managers, Team Leaders and Supervisors will be responsible for the day-to-day monitoring of contractor's health and safety performance which supports the Contract & Supplier Management process. Written records will be kept of any issues that require attention by the contractor(s), and the contractor(s) will be consulted at the earliest opportunity to resolve potential

problems. Where appropriate, good practice should also be identified and communicated to the contractor(s) concerned.

- The Health & Safety Team will complete periodic site safety inspections.
- Site safety inspection feedback on contractor performance will be an agenda item at the Tier 3 health and safety meetings. Any significant learning points will be brought to Tier 2 health & safety meetings and if necessary, escalated up to Tier 1 of the Health and Safety Committee structure system.
- Contractors working in EDC buildings will be subject to performance checks by the relevant Building Manager and Health & Safety Team member commensurate with the risks involved. The frequency of the monitoring will be agreed at the pre-start meeting.
- The Contractor should report to the EDC designated person when their work is completed. It should be established that the Contractor has left the area in a safe condition. All relevant documentation in the Property Manual (Six Pack) must be completed as required.

Any Service or Team that considers work undertaken by a contractor to fall below acceptable health and safety standards, should contact the Contractor immediately and effective interventions should be taken. This may mean suspending or stopping work where there is a significant risk of injury or damage. This must be documented in alignment with the Contract & Supplier Management process (further information available on the HUB)

6. COMPETENCY

Where specific or significant risks exist in relation to EDC's activity or premises under its control, contractor's Technical Support nominated person should establish that the Contractor's employees have received such information, instruction and training as is appropriate.

All contractors will be expected to hold the relevant CSCS card (CPCS card for plant operators and lifting operations), or other relevant card i.e. one accepted by and affiliated to the CITB scheme. Contractors will be required to provide technical and safety training evidence as part of their selection process, and subsequently as required by EDC.

A training card/certificate is not in itself a guarantee of competence. Other factors like experience must also be considered. Where doubt exists about an individual's competency the relevant Service Manager or Team Leader should intervene.

7. ACCIDENT AND INCIDENT REPORTING

Where an accident occurs due to the activities of the Contractor and involves EDC employees, causes damage to EDC property or involves a member of the public, the accident must be notified to the EDC Health and Safety Department with immediate effect and as per the latest Accident and Incident Procedure, ensuring the relevant escalations within the Contract & Supplier Management process are documented.

The Contractor must record and report all injury accidents and in particular the duty to notify the Health and Safety Executive in circumstances identified within the RIDDOR Regulations 2013.

It shall be the contractor's responsibility to provide first aid arrangements and emergency action, however, East Dunbartonshire Council may assist in emergency circumstances.

8. CONTRACTOR SUPERVISION

EDC will ensure that Contractors enlisted to complete work for the Council are effectively and appropriately set to work and supervised by a supervisor who has the appropriate Skills, Knowledge, Attitude, Training and Experience necessary to meet this criteria.

Where contractors are lone workers, the Contractor organisation must put in place measures to address any risks involved in the works undertaken.

In EDC operational buildings, where relevant, a Facilities Officer or a Building Manager will induct the contractor or, alternatively, information provided pre-starting works should suffice.

For this purpose, supervisors are defined as those persons responsible for setting people to work and directly supervising the on-going work activities. They are the frontline supervisors (ie Supervisor, Ganger, Foreman, Charge-hand etc) with direct responsibility for putting people to work, who will typically brief their workers on how to carry out their work and ensure that they are carrying out their work safely. These are also referred to as Contract & Supplier Managers for the purposes of compliance and governance.

Where relevant to the work undertaken, to ensure that an appropriate supervisor is appointed, Contractors must be requested to provide details of the nominated supervisor prior to work being appointed/commencing, and for some trades it is recognised that the supervisor may operate on a visiting basis. In this case, the supervisor will still need to meet the training requirements detailed in this policy.

Any nominated supervisor must have the appropriate level of authority to be the supervisor. Confirmation and evidence of this must be provided/obtained along with evidence of the supervisors skills, knowledge, attitude, training and experience (SKATE) and typically this will take the form of a role specific CV.

Having evaluated the typical work activities carried out within the Council, the following table has classified the work activities into low, medium and high risk. These work activities have specific controls under health and safety regulations to abide by, therefore supervision will be required as set out in the table. The supervision must be carried out by trained and competent persons and minimum ratios have been established. Where these differ from risk assessments, method statements or plan of work submitted, this must be discussed and agreed before works commencing with the service requiring the work activity to be undertaken and where required the service will consult with the Health and Safety team, and this will be documented as part of the Contract & Supplier Management process.

Ratio of Trade Contractor Managers and Supervisors to Operatives						
Trade Type	Specified Trades	Up to 4	5 to 15	16 to 30	31 to 60	Each 30 thereafter
1 Low Risk Trades	Ceramic Tiling Cleaning Fencing Fire Protection Insulation Kitchen and Bathrooms Mastic Painting and Decoration Soft Flooring Soft Landscaping	1 x Visiting SSSTS	1 x Full Time SSSTS	2 x Full Time SSSTS	2 x Full Time SSSTS and 1 x Full Time SMSTS	2 x SSSTS

2 Medium Risk Trades	Balconies Brickwork Dry Lining Electrical Enabling Façade Finishes Carpentry Hard Flooring Hard Landscaping Hoarding Lift Installation Logistics Mechanical PCC Beams Plastering Plumbing Roof Finishes Windows	1 x Full Time SSSTS	1 x Full Time SSSTS and 1 visiting SMSTS	1 x Full Time SSSTS and 1 x Full Time SMSTS	2 x Full Time SSSTS and 2 x Full Time SMSTS	1 x Full Time SSSTS and 1 x Full Time SMSTS
3 High Risk Trades	Civil Engineering Ground Remediation Groundwork PCC Floors Piling Roof Carpentry Steel Erection Timber Frame erection Asbestos Services	1 x Full Time SSSTS and 1 visiting SMSTS	1 x Full Time SMSTS	2 x Full Time SSSTS and 1 x Full Time SMSTS	3 x Full Time SSSTS and 2 x Full Time SMSTS	2 x Full Time SSSTS and 1 x Full Time SMSTS
4 High Risk Trades	Principal Contractor RC Frame Scaffolding Demolition	1 x Full Time SMSTS	1 x Full Time SMSTS	2 x Full Time SSSTS and 1 x Full Time SMSTS	3 x Full Time SSSTS and 2 x Full Time SMSTS	2 x Full Time SSSTS and 1 x Full Time SMSTS

The ratio of supervisors to workers and/or working/non-working supervisors on a project will be determined on the basis of risk assessment of the work in progress and in conjunction with local EDC Service management.

EDC expects that an appointed supervisor understands their legal duties on behalf of themselves, those for whom they supervise and anyone else likely to be affected by their acts or omissions - in the areas for which they have been made responsible.

Contractor supervisors/Contract & Supplier Managers MUST ensure that:

- All work is effectively planned.
- The workforce is set to work in safe areas.
- Suitable and sufficient RAMS are in place for the activity.
- All involved are appropriately trained and competent.
- All plant/equipment is certified and safe.
- All workforce are instructed on safe systems and controls.
- Breaches of rules and legal requirements will be immediately addressed.
- Unsafe acts and conditions will be reacted to.

All supervisors must have sufficient skills, knowledge attitude, training and experience. In terms of formal training in health and safety gained at a construction specific course of at least two days duration. Approved training courses are as follows:

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- Construction Skills Site Safety Supervisors Training Scheme (SSSTS)
- Construction Skills Site Management Safety Training Scheme (SMSTS)
- Institution of Occupational Safety & Health (IOSH) 'Managing Safely in Construction'
- Construction Industry Scaffolders Record Scheme (CISRS) 'Scaffolding Supervisor'
- Certificate of Competence for Demolition Operatives (CCDO) 'Demolition Supervisor'
- Federation of Piling Specialists (FPS) Supervisors 2 day Health, Safety and Environmental Awareness Course
- CPCS A62 Crane Supervisor
- Construction Health and Safety Group (CHSG) 'Health & Safety Site Management Cert' (Modules 1-3) NEBOSH National Certificate in Construction Health & Safety

9. REMOVAL OF CONTRACTOR FROM ACL

There may be occasions where a Contractor's health and safety performance falls below the expected standard. Where this is the case then there will be a formal review conducted by the appropriate parties to include Procurement, Health and Safety and the relevant Service Manager. This may result where appropriate, in the removal of a contractor from existing contracts determined in accordance with the relevant contract conditions.

10. MONITOR AND REVIEW

As part of the EDC Health and Safety Management System, the Health and Safety Team will conduct regular audits and inspections to monitor the implementation of this policy.

The Health and Safety Team will review this health and safety policy every two years from the date of signing or sooner as a result of any changes to legislation or some other event i.e. a major incident or accident.

The Health and Safety Team will provide feedback in the form of a report following any audits and inspections. When necessary, the procedure will be amended and reissued with an updated version number.

All Team Leaders must ensure that local procedures are updated to reflect any changes to the management procedure.

11. REFERENCES

HSE Guidance and Regulation

- The Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Construction (Design and Management) Regulations 2015

East Dunbartonshire Council: Health and Safety Policy and Procedures

- HSP01 Health and Safety Policy
- HSP02 Gas Safety Policy
- HSP04 Management of Asbestos
- SP01 Accident and Incident Reporting

- SP02 Asbestos Management for Property Maintenance
- SP05 Management of Technical Trades
- SP14 Risk Assessment
- SP15 CDM Procedure
- SP18 First Aid
- SP25 Health and Safety Training
- SP29 Duty Holder
- SP31 LOLER
- SP32 PUWER
- SP35 Accident and Incident Investigation
- SP38 Permit to Work

East Dunbartonshire Council: Health and Safety Forms

- D03 Contractor RAMS Review Form.

References

- www.hbf.co.uk : Guidance for Contractor Supervision
- The table “*Ratio Of Trade Contractor Managers and Supervisors*” is in alignment with the Home Builders Federation “Standard for Contractor Supervision”. Revision 2. Issued October 2019