



## Health and Safety Control of Contractors Policy

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## **1. Statement of Aims and Objectives**

- 1.1. South East Coast Ambulance Service NHS Foundation Trust (the Trust) is committed to ensuring, so far as is reasonably practicable, the health, safety and welfare of all its employees and others who work for or on behalf of the Trust.
- 1.2. The Trust requires that its contractors comply with all relevant Health & Safety legislations and Trust policies and procedures where applicable. The contract between the Trust and the contractor will define rights, roles and responsibilities for Health and Safety arrangements.
- 1.3. Numerous legislations require the Trust to fulfil its legal duties when employing contractors including the Health and Safety at Work Act 1974, the Occupiers' Liability Acts 1957 (common law duties to visitors) and 1984 (duties to trespassers), The Management of Health and Safety at Work Regulations and the Construction Design and Management Regulations 2015 (CDM).
- 1.4. This Policy applies to any work commissioned by the Trust or agents working on behalf of the trust.
- 1.5. Contractors have a legal duty to work safely and manage the safety of their staff. The work activities must not, so far as is reasonably practicable, affect the Health, Safety and Welfare of anyone who comes into contact with them or their activities.
- 1.6. The Construction Design and Management Regulations 2015 (CDM) place specific duties on clients who appoint anyone to undertake a construction project. It should be remembered that 'construction' under the regulations has a very wide meaning and includes, among other things, construction, alteration, conversion, fitting out, commissioning, renovation, repair, upkeep, redecoration or other maintenance, de-commissioning, demolition or dismantling of a structure. Under the regulations a client must make suitable arrangements for managing a project and ensuring that the work can be carried out, so far as is reasonably practicable, without risks to health and safety of anyone.

## 2. Principles

- 2.1. The aim of this policy is to provide guidance to Trust employees who award contracts on behalf of the trust. Compliance with this policy will enable the organisation to fulfil its legal obligations associated with contractor management for health and safety purposes.
- 2.2. The term 'contractor' is not restricted to building contractors. In its wider sense it includes any individual or company which has a contractual obligation agreed with the Trust.
- 2.3. Contractor personnel who are merely visiting Trust premises for meetings are deemed to be visitors, not contractors.
- 2.4. Labour only sub-contractors work under the employer's direction and control, so for insurance purposes are deemed to be 'employees'. These will include temporary and agency workers.
- 2.5. Contractors that work under their own company's direction and supervision or in association with a principal contractor, must have their own Employers and Public Liability insurance arrangements.

## 3. Role and Responsibilities

- 3.1. Executive Directors are responsible within their sphere of responsibility for ensuring that:
  - Deputy Directors, Head of departments, senior managers and managers who award contracts for work to be undertaken by contractors must follow and implement this policy;
  - Adequate resources are utilised to supervise contractors working on behalf of the Trust to ensure they comply with health and safety arrangements in place so that risks to staff, patients, visitors and the general public are minimised. Agreed local procedures are met and all work carried out is to an acceptable standard.
- 3.2. The Trust employee awarding the contract of works must do the following:
  - Provide the contractor with sufficient information about risks to health and safety on the premises were the work shall be undertaken;
  - **Select a suitable Contractor:** Ensure the contractor is competent i.e. they have the sufficient skills, knowledge and experience of the

type of work that is to be undertaken;

- The degree of competence required will depend on the activity to be performed. The Trust employee awarding the contract will ensure the contractor understands what performance is expected. The performance criteria will be set out in the initial contract;
- Ensure the contractor fully completes the Health & Safety Pre-contract questionnaire in **APPENDIX 1** of this policy. This must be completed before any work is contracted out. When the form and relevant documentation is returned in full please forward a copy to [contractorsafety@secamb.nhs.uk](mailto:contractorsafety@secamb.nhs.uk)
- The selection of any sub-contractors will be the responsibility of the main contractor;
- If a contractor employs a sub-contractor to carry out some or all of the work, all parties will have shared health and safety responsibilities. The extent of the responsibilities of each party will depend on the circumstances. All parties must co-operate to ensure that health and safety is properly managed;
- The Trust's arrangements for compliance with statutory obligations will be discussed with the contractor and assurance gained from the contractor that they fully understand those arrangements and will act in accordance with them at all times;
- The level of risk will depend on the nature of the activity. Whatever the risk, the Trust employee assigning the contract must consider the full implications of the work to be undertaken. This will include:
  - a) ensuring all relevant risk assessments and method statements are completed by the contractor prior to the work commencing;
  - b) ensure that the results of any risk assessments in respect of the potential effects of the work to be carried out are shared within the Trust with all parties who may be affected by the work;
  - c) agreeing how co-operation and co-ordination between all parties will be achieved, and the level of management and supervision required.
- Reporting any deviations of the work to all relevant persons;

- Ensure that disruption to the activities at local level are minimised and all relevant staff are aware of the work programme. Accidents with contractors can be caused by poor communication – when staff don't know there is a contractor working nearby and when contractors don't know the dangers on site;
- Ensure contractors receive a local health & safety induction and keep a record of the induction provided.

#### **4. Permit to work**

4.1. Where the nature of the work causes higher risk activities e.g.

- Hot works
- Confined Spaces
- Working at height
- Electricity
- Excavation

4.2. (the list above should not be considered exhaustive)

**4.3. A Permit to work must be raised.**

4.4. The Contractor may use their own permit to work system, but a copy must be provided prior to the work commencing to the Trust employee awarding the contract.

#### **5. Contractor First Aid Arrangements**

5.1. The Health and Safety (First Aid) Regulations require contractors to carry out a risk assessment in order to determine their own individual requirements for the provision of first aid for their employees.

5.2. Arrangements for first aid will depend upon the work being undertaken and number of contractors coming on site. Large number of contractors should have access to their own first aider and first aid box. The risk assessment needs to be sent and reviewed by the Trust employee awarding the contract prior to the work commencing.

#### **6. Infection Prevention and Control**

6.1. Contractors are required to familiarize themselves with and adhere to the Trust Infection Prevention and Control policies and procedures were applicable.

- 6.2. The contractor and their employees should not work on behalf of the trust if they have any infectious illness, e.g. diarrhoea or vomiting. Further guidance on this is available in the Infection Prevention and Control policies and procedures.

## 7. Housekeeping

- 7.1. Contractors will be held responsible for any damage caused by them to trust property during the course of their work. Contractors will also be responsible for the removal of any refuse or debris produced by them during the course of their work. Contractors will place all refuse or debris in suitable bags or other receptacles and remove them from the workplace on a daily basis. On completion of the work, all materials, tools and equipment must be removed. If skips are required onsite then only lockable skips shall be used to prevent arson related incidents.

## 8. Fire Safety

- 8.1. Contractors must familiarise themselves with the Trust Fire Safety Policy.

- 8.2. Contractors must do the following:

- Ensure that they are familiar with the fire evacuation procedures within the building they are working in;
- Advise the trust of any flammable mixtures, liquefied petroleum gases or explosive substances to be used or stored by them on trust premises;
- Ensure that cylinders and containers are not left in unauthorized places and where oxygen, acetylene, propane, etc. is used, that flashback arrestors are fitted;
- Obtain a Hot Work permit prior to commencing any operations involving the use of any flame or heat producing equipment;
- Provide additional firefighting equipment as appropriate or as required by a risk assessment;
- Ensure their employees comply with the trust No Smoking Policy.

- 8.3. **Contractors must not obstruct the following:**

- Means of escape routes
- Fire warning systems
- Water supplies for fire fighting
- Access to firefighting equipment

## **9. Personal Protective Equipment (PPE)**

- 9.1. Contractors must ensure that their staff are provided with all necessary personal protective equipment (PPE) as identified in risk assessments. Any equipment supplied must conform to the relevant standard. PPE must be kept in good order and maintained to an acceptable standard. The contractor must provide adequate storage facilities for their PPE.

## **10. Security**

- 10.1. Contractors shall adhere to the Trust security arrangements and ensure that their employees are fully conversant with the requirements.
- 10.2. Contractors will:
- Report any damage of trust equipment;
  - Ensure all plant, equipment and vehicles are isolated and secure when not in use and before leaving trust premises;
  - Wear the trust issued ID badges at all times;
  - Will not share security access cards or door codes with others.

## **11. Control of Pollution**

- 11.1. Arrangements should be made to prevent sand, soil, cement or any other solid materials being washed into drainage or sewage systems. Under no circumstances should hazardous substances be flushed into drainage or sewage systems as a means of disposal.

## **12. Training**

- 12.1. It is the Contractor's responsibility to ensure that all its employees receive suitable and sufficient training in order for them to carry out their work in a manner that does not expose either themselves or others to risk of injury.

## **13. Supervision / Inspections and Audit**

- 13.1. Contractors must carry out their work in a safe manner to minimise risk to staff, patients, visitors, members of the public and trust property. Contractors and sub-contractors should carry out day-to-day checks to monitor health & safety compliance;
- 13.2. The level of supervision required by the trust will depend on the extent of the risks associated with the work and the impact of the contractor's presence on site. Relevant issues may include:
- What equipment/substances/materials are being used;
  - Permit to work system;

- Level of disruption to building services;
- Day to day checks undertaken by the contractor

Periodic on-site inspections by the trust must be undertaken and recorded to ensure controls are being followed. The frequency of these shall be decided by the trust employee awarding the contract. Inspection frequency's must be adequate whilst ensuring they align proportionally to the length of the contract.

- 13.3. The Health and Safety team shall undertake independent audits to ensure that appropriate steps within this policy are being adhered to. The frequency of the audits shall be 3 per quarter and compliance reports will be created following the audits.

## **14. Implementation and Communication**

- 14.1 The policy will be implemented and communicated to ALL staff within the Trust via the weekly newsletter. The policy will also be available on the intranet (The Zone).

## **15. Equality Analysis**

- 15.1. The Trust believes in fairness and equality, and values diversity in its role as both a provider of services and as an employer. The Trust aims to provide accessible services that respect the needs of each individual and exclude no-one. It is committed to comply with the Human Rights Act and to meeting the Equality Act 2010, which identifies the following nine protected characteristics: Age, Disability, Race, Religion and Belief, Gender Reassignment, Sexual Orientation, Sex, Marriage and Civil Partnership and Pregnancy and Maternity.
- 15.2. Compliance with the Public Sector Equality Duty: If a contractor carries out functions of a public nature then for the duration of the contract, the contractor or supplier would itself be considered a public authority and have the duty to comply with the equalities duties when carrying out those functions.

## **16. Audit and Review (evaluating effectiveness)**

- 16.1. All policies have their effectiveness audited by the responsible Management Group at regular intervals, and initially six months after a new policy is approved and disseminated.



- 16.2. Effectiveness will be reviewed using the tools set out in the Trust's Policy and Procedure for the Development and Management of Trust Policies and Procedures (also known as the Policy on Policies).
- 16.3. This document will be reviewed in its entirety every three years or sooner if new legislation, codes of practice or national standards are introduced, or if feedback from employees indicates that the policy is not working effectively.
- 16.4. All changes made to this policy will go through the governance route for development and approval as set out in the Policy on Policies.

## **APPENDIX 1**

### **Health and Safety Pre-Contract Questionnaire**

#### **CONTRACTOR DETAILS**

Name of Company	
Address	
Telephone Number	
Email Address	
Number of employees	
Contact name (Block Capitals)	
Date	

**Please provide any further information that you feel supports this questionnaire.**

Topic	Yes	No	N/A
1. Please provide a copy of your current Health & Safety Policy and organisational arrangements for health & safety?			
2. Please give details of how you allocate responsibility for health and safety to individuals within your company?			
<p>3. Please supply details of your safety management system?</p> <p>a. How do you monitor compliance for health &amp; safety on site?</p> <p>b. How will you ensure that:</p> <ul style="list-style-type: none"> <li>• Your employees are provided with suitable PPE?</li> <li>• Your plant and equipment are maintained and tested?</li> <li>• Your COSHH arrangements are in place?</li> <li>• First aid arrangements are in place?</li> </ul>			
4. Who provides your competent H&S advice? (Please provide Name & relevant qualifications)			

<b>5.</b> Do you provide a permit to work system e.g. Hot works, working at heights etc)?			
<b>6.</b> Please provide your Incident statistic data for the last 3 years, including the number of RIDDORs.?			
<b>7.</b> Please provide examples of risk assessments relating to the work being undertaken?			
<b>8.</b> Please provide a copy of the method statement relating to the work being undertaken?			
<b>9.</b> How do you promote, communicate, receive and record health and safety matters in your organisation?			
<b>10.</b> Has your company or any individual employed by your company been prosecuted for any breaches of Health and Safety legislation within the last 5 years?			
<b>11.</b> Has any enforcement action been served to your company by the Health and Safety Executive in the last 5 years?			
<b>12.</b> Please give details of any Health and Safety training given to management, supervisors and employees in the last 3 years e.g. IOSH Managing Safely, Neboosh, Asbestos awareness etc?			
<b>13.</b> Has your company undertaken any work similar to the type of work being proposed by the Trust?  Please provide details.			
<b>14.</b> How do you assess the competency of your sub-contractors prior to appointment?			
<b>15.</b> Does your company have CHAS accreditation?  If so, please provide your registration details.  <a href="https://www.chas.co.uk/">https://www.chas.co.uk/</a>			
<b>16.</b> Does your company have Safe Contractor accreditation?  If so, please provide your registration details.  <a href="https://www.safecontractor.com/">https://www.safecontractor.com/</a>			
<b>17.</b> Does your company have Constructionline accreditation?			

If so, please provide your registration details.  <a href="https://www.constructionline.co.uk/">https://www.constructionline.co.uk/</a>			
<b>18.</b> Does your company have Gas safe registration?  If so, please provide your registration details.  <a href="https://www.gassaferegister.co.uk/">https://www.gassaferegister.co.uk/</a>			
<b>19.</b> Please provide copies of your current Employers' & Public Liability Insurance?			

<b>I certify to the best of my knowledge the details supplied in this questionnaire are correct.</b>	
Name of person completing this form (Block Capitals)	
Signature	
Job Title	
Telephone Number	
Email address	
Date	

## APPENDIX 2

### Contractor Safety Checklist

<b>Company name:</b>		<b>Location:</b>	
<b>Description of work:</b>		<b>Date/Time:</b>	
		<b>Estimated finish time:</b>	

<b>1 General</b>	<b>Yes</b>	<b>No</b>	<b>Control measure to be used</b>
Do you have a copy of the Trust's Control of Contractors Policy?			
Have you had a site induction?			
Do you know where your emergency assembly point is?			
Have you made provisions for first aid cover?			

<b>2 Work Equipment</b>	<b>Yes</b>	<b>No</b>	<b>Control measure to be used</b>
Will you be using any of the following?			
Scaffolding			
Powered access equipment			
Ladders			
Cranes/hoists			
Welding/cutting/grinding equipment			
Portable electrical equipment			
Is it PAT tested?			
Other, please specify			

<b>3 Hazardous Substances</b>	<b>Yes</b>	<b>No</b>	<b>Control measure to be used</b>
Will you be using any of the following?			
Flammable liquids/gases			
Oxidizers			

Harmful/Irritant/Corrosive Substances			
Lead/Asbestos			Where applicable, Contractors should view and sign the Asbestos register.
Do you have a CoSHH assessment?			
Do you have material safety data sheets?			

4 Personal Protective Equipment	Yes	No	Control measure to be used
Will you be wearing any of the following?			
Eye protection			
Respiratory protection			
Gloves			
Safety footwear			
Hearing protection			
Overalls			
Other, please specify			

5 Permit-to-Work	Yes	No	Control measure to be used
Will the work be controlled by any of the following permits?			
Confined spaces			
Hot work			
Roof work			
Trenching/Excavation			
Line breaking			
Live electrical work			

6 Additional	Yes	No	Control measure to be used
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Is the work controlled by the following?			
A method statement			
A risk assessment			

Have you been provided a Trust Representative point of contact?			
Have site welfare arrangements been established?			

<b>Contractor signature:</b>	
<b>Trust representative signature:</b>	