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	HEALTH AND SAFETY PROCEDURE	

HSP 9.14 Control of Contractors

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1.0 OBJECTIVE

To help Post understand and manage their responsibilities to contractors and those who may be affected by contractors working for Post.

When contracting out work you cannot outsource your health and safety responsibilities and you therefore must select, control your contractors carefully and communicate with them clearly.

2.0 SCOPE

This guidance provides information regarding health and safety duty's held by Post (Post) to Contractors, Sub-Contractors, and Third Parties (e.g. Landlords Maintenance Team, cafes, shops and builders) who are working on the estate.

This guidance document offers guidance on:


- Policies
- Planning
- Choosing a contractor
- Contractors working on site
- Keeping a check
- Reviewing the work

Specific guidance on construction can be found in “HSP 9.39 Construction Works”.

3.0 INFORMATION

3.1 Policies – your health and safety policy includes arrangements for contractors and should be drawn to the attention of staff members dealing with contractors.

- **Mission Statement** – Post must ensure that a Post Health and Safety Mission Statement has been completed and signed by the Head of Post. A template Post Health and Safety Mission Statement (HSF009) is available on FCONet.
- **Third Parties** – There are many who may be affected by Post's actions or inaction and Post owe a 'duty of care' to these people. The fact that a Third Party may not have a contract with Post but provides an informal service which generates its own income such as a café will not eliminate Posts liability. If a person working under your control and direction is treated as self employed for tax or any other purposes, they may nevertheless be your employee for health and safety purposes. Whether they are employed or self-employed, you need to take action to protect people under your control.


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3.2 Planning

Post need to clearly identify all aspects of the work they want the contractor to do, including work falling within the preparation and completion phases. Whatever the risk, Post need to consider the health and safety implications of the job they want carrying out.

This will involve selecting someone suitable to do the job, assessing the risks, deciding what information, instruction and training is required, how co-operation and co-ordination between all parties is achieved, how the workforce is to be consulted and the level of management and supervision required. Consideration should be given for the following:

- **Organising** – Involve relevant stakeholders such as contractors, third parties, staff, unions, local/national authorities etc during the pre-tender phase.
- **Define the job** – Ensure that tasks are suitably and sufficiently set out with any special requirements highlighted. Set out all roles and responsibilities for each task and if necessary the minimum requirements of operative competence required for the task. Examine what procedures are suitable for each task.
- **Identify hazards** - Hazards are anything with “the potential to cause harm” and can cause accidents- so they need to be controlled.
- **Assess risks** - A risk assessment is a careful examination of what, in the workplace, could cause harm to people, so that you can weigh up whether you have taken sufficient precautions or should do more to prevent harm.
- The Document “HSP 2.0 Hazard Identification Risk Assessment And Risk Control” is available on FCONet and provides guidance on how to carry out Risk Assessments.
- Post should develop a tender stage risk assessment and require the contractor to produce detailed risk assessments and method statements for the work. Post may require these as part of the tender submission on a contract.
- Post must require the winning contractor to submit risk assessments in a suitable and sufficient time prior to work commencing. Upon receipt of the risk assessments Post must satisfy themselves of the suitability and sufficiency of the risk assessments before work commences.
- **Specific Risks** – Post must also ensure that it manages specific risks such as Asbestos, Working at Height, Manual Handling, Hazardous Substances, Loan working etc. Please refer to the full list of HSP’s on FCONet, Contact your local Technical Works Officer (TWO) or Property Management.

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3.3 Choosing a contractor

Post need to satisfy themselves that contractors are competent (ie they have sufficient skills and knowledge) to do the job safely and without risks to health and safety. The degree of competence required will depend on the work to be done. Make sure contractors know and understand what performance you expect. Explain your health and safety arrangements to them. Show them your procedures, permit systems, health and safety policy statement and make sure they understand and will act in accordance with it.


You need to decide how you will determine a contractor's competence. You could, for example, ask prospective contractors:

- What experience they have in the type of work you want done;
- What their health and safety policies and practices are;
- About their recent health and safety performance (number of accidents etc);
- What qualifications and skills they have;
- Their selection procedure for sub-contractors;
- For their safety method statement;
- What health and safety training and supervision they provide;
- Their arrangements for consulting their workforce;
- If they have any independent assessment of their competence;
- If they are members of a relevant trade or professional body; or whether they or their employees hold a 'passport' in health and safety training.

Select a suitable sub-contractor - The selection of any sub-contractors is probably best left to the contractor. Post must, however, satisfy themselves that a contractor has an effective procedure for appraising the competence of a sub-contractor. When selecting a suitable subcontractor, a contractor may use some or all of the criteria that a Post may use in selecting a suitable contractor (see above). Again, the degree of competence required will depend on the work to be done.


3.4 Contractors working on site

- **Assess the risks of the work** - A risk assessment must be done and both Post and contractor should be party to it. Both "HSP 2.0 Hazard Identification, Risk Assessment and Risk Control" and "HSF002 Risk Assessment Form" can be found on FCONet.
- Post should already have a risk assessment for the work activities of their own business. The contractor must assess the risks for the contracted work and then both parties must get together to consider those risks from each other's work that could affect the health and safety of the workforce or anyone else. Post and the contractor need to agree the risk assessment for the contracted work and the preventative and protective steps that will apply when the work is in progress. If subcontractors are involved, they should also be part of the discussion and agreement.

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- **Provide information, instruction and training** - Post, contractors and sub-contractors must provide their employees with information, instruction and training on anything which may affect their health and safety. "HSP 6.0 Training Awareness and Competency" is available on FCONet.
- **Communications** – All parties need to consider what information should be passed between them and agree appropriate ways to make sure this is done. They need to exchange clear information about the risks arising from their operations, including relevant safety rules and procedures, and procedures for dealing with emergencies. This exchange of information should include details of any risks that other parties could not reasonably be expected to know about. The information must be specific to the work. **In other words, you must talk to one another.**
- **Instruction and Training** - The instruction and training provided by Post, the contractor and the subcontractor needs to take account of the risks from their own and each other's work.
- **Co-operation and co-ordination** - In any Post/contractor relationship, there must be co-operation and co-ordination between all the parties involved, to ensure the health and safety of all at the workplace and anyone else likely to be affected. Post should set up liaison arrangements with all parties. This could take the form of regular meetings or briefings. Liaison is particularly important where variations of the work are proposed or where more than one contractor or sub-contractor is engaged.
- **Consulting the workforce** - Post, contractors and sub-contractors must consult their employees on health and safety matters. Where there are recognised trade unions, consultation should be through safety representatives appointed by the unions. Trade unions have an important role to play and can provide expertise to help in the area of health and safety. Where there is no recognised trade union, different arrangements will have to be made e.g. through representatives elected by their employees. However the workforce is represented, they should be part of the liaison arrangements set up by Post and should be involved from the outset.
- **Management and supervision** - Post must decide what they need to do to effectively manage and supervise the work of contractors. The more impact the contractor's work could have on the health and safety of anyone likely to be affected, the greater the management and supervisory responsibilities of Post. Post will also have greater management and supervisory responsibilities where they know more about the health and safety implications of the contracted work than the contractor. In all circumstances, Post need sufficient knowledge and expertise to manage and supervise the contracted work. It is essential that the nature of the controls exercised by Post is agreed before work starts. An important part of this is the arrangements for the selection and control of any sub-contractors.

Post may need to agree with the contractor how the work will be done and the precautions that will be taken. Again, the extent of Post's responsibilities will be determined by the impact that the contractor's work could have on anyone likely to be affected. Relevant issues include:


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- What equipment should or should not be worked on/used;
 - Personal protective equipment to be used and who will provide it;
 - Working procedures, including any permits-to-work;
 - The number of people needed to do the job;
 - Reporting of accidents and safekeeping of records and plans.
- **All contractors sign in and out** – It is important not to just rely on the records kept by security but ensure that contractors sign in to specific areas. This is especially important on large compounds where particular job sites can exist or even where locally engaged accommodation is provided or contractors whom may employ spouses.
 - **Name a site contact** – The contractor must name a single point of contact for works on site (this could be a supervisor). The contact's name and contact details should be displayed clearly on either the work site's notice board and/or Posts relevant Health and Safety Notice boards.
 - **Reinforce health and safety information and site rules** – Post must ensure that anyone entering Post receive suitable and sufficient inductions prior to them commencing work. Visitors must as a minimum be informed of emergency procedures. The documents "HSF012 Health and Safety Induction Template Presentation", "HSF013 Health and Safety Induction Checklist" and "HSF015 Health and Safety Training Matrix Template" are all available on FCONet.
 - Large Projects or ongoing contracts may require regular Tool Box Talks or other training. Post should refer to HSP 6.0 Training Awareness and Competency. For further information please contact your TWO or Property Management for advice.
 - **Check the job and allow work to begin** – Before work begins Post must satisfy themselves that all suitable and sufficient procedures necessary are in place and where appropriate completed, any physical requirements have been met and all operatives are competent.

3.5 Keeping a check

Post, contractors and sub-contractors should monitor their health and safety performance. This means checking whether risk assessments are up to date and that control measures are working. The level of monitoring depends on the risks - the greater the risks, the greater the monitoring. Post should make periodic checks on the contractor's performance to see if the work is being done as agreed.

Contractors and sub-contractors should carry out day-to-day checks to see that what should be done is being done. Some work-related accidents, diseases and dangerous occurrences have to be reported to the enforcing authorities. It is good practice to investigate all injuries, cases of work-related ill health and 'near misses' to find out what went wrong and why they were not prevented. Post, contractors and subcontractors should share the lessons learnt from monitoring and investigations with each other and with the entire workforce.

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Where health and safety requirements are not being met, the first step is for Post and the contractor to find out why and put matters right. If health and safety performance is not brought up to requirements, Post will need to stop the contractor working on the job until requirements can be met. Both Post and the contractor should review the work after completion to see if performance could be improved in future.


- **Assess the degree of contact needed** – Post must satisfy themselves that the contractor is carrying out work in a safe manner. The amount of contact Post will need with the contractor will depend on various issues such as complexity of work, risk of tasks, proximity of work to others, proximity of work to hazards, how compliant the contractor has been and etc.
- **How is the job going: As planned?** – Risk and Hazards will often evolve during the implementation phase of a contract. Post must identify where problems are arising and with the contractor revisit the risk assessment make any relevant alterations and satisfy themselves that the Risk Assessments are suitable and sufficient.
- **Is the contractor working safely and as agreed? Any incidents or/and changes in personnel?** – Sometimes contractors fail to adequately manage Health and Safety and in this situation Post will need to actively manage the contractor. Post should clearly document any failings and discuss them with the contractor - it may be that the contractor did not understand what was required.

Post must make a decision on how to mitigate any extra risk preferably with the contractor and the mitigation will depend on the scale of risk. Post may consider re-training of those involved, requiring the contractor to provide additional supervision, agree additional liaison between the relevant parties, order to make improvements where reasonably practical, order stop work until improvements are made, dismissing the contractor and etc.

- **Are any special arrangements required?** – Post may find after work has started that special arrangements are needed. Post should consult with any relevant stakeholders such as contractors, third parties, staff, unions, local/national authorities and etc. Any special arrangements must mitigate the risk in a suitable and sufficient manner.

3.6 Reviewing the work

- **Review the job and contractor** – How effective was your planning? – Post must look at the procedures to ensure that they are in place during the contract and satisfy themselves that they were appropriate. Post should where possible hold a “no blame” meeting with the relevant stakeholders (e.g. Contractors, staff, unions, third parties and etc) to discuss how procedures could be changed/adjusted to make Post safer. Post must satisfy themselves that any alterations to procedures are suitable and sufficient.
- How did the contractor perform? – Post must have a standardised process for assessing the performance of contractors. This allows Post to develop a clear and transparent method of comparing contractors for future contracts.
- How did the job go? – Post must have procedures for assessing the success of a contract and this should certainly include Health and Safety performance.

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- **Record the lessons** – Post must document the outcomes of the review phase this allows Post to learn from any findings and improve future contracts. Post must do this in a standardised manner to ensure a comparison can be made.

4.0 REFERENCES

- (A) HSP 9.39 Construction Works
- (B) The Health and Safety Executive (HSE), “HSG159: Managing Contractors A guide for employers”.
- (C) The Health and Safety Executive (HSE), “INDG368: Use of contractors A joint responsibility”.
- (D) The Health and Safety Executive (HSE), “INDG275: Managing health and safety: Five steps to success”.
- (E) HSF009 Post Health and Safety Mission Statement
- (F) HSP 2.0 Hazard Identification, Risk Assessment and Risk Control
- (G) HSF002 Risk Assessment Form
- (H) HSP 6.0 Training Awareness and Competency
- (I) HSF012 Health and Safety Induction Template Presentation
- (J) HSF013 Health and Safety Induction Checklist
- (K) HSF015 Health and Safety Training Matrix Template”