

**Title: The Management of Contractors/Sub Contractors**

**PCoP:** G:14

**Date:** July 2017

**Author:** Jonathan Evans

**Post:** Senior Project Leader

[Further information is available in the Corporate Health and Safety Manual](#)

[Please search for 'Contractors' on the main LCC website](#)

	<b>Page</b>
<b>CONTENTS:- Introduction</b>	<b>1</b>
<b>Definitions</b>	<b>1</b>
<b>Selection and Vetting of Contractors</b>	<b>1</b>
<b>Supervision and Inspection of Work by Contractors</b>	<b>2</b>
<b>Labour from Staffing Agencies</b>	<b>3</b>
<b>Work on County Council Premises</b>	<b>3</b>
<b>Dealing with Unsafe Working Practices on Site</b>	<b>3</b>
<b>Dealing with Unsafe Working Practices on the Highway</b>	<b>4</b>
<b>Contractors People Specification</b>	<b>4</b>

First Issue Date:	August 1999
Re-Issue Dates:	05/06, 09/09 09/13, 07/17
Revision No:	4
Last Reviewed:	July 2017
Next Review Due:	July 2020
Reviewer:	J.Evans

# PLACE HEALTH AND SAFETY MANUAL

## 1. Introduction

The duties imposed by the Health and Safety at Work Act and the Construction (Design and Management) Regulations 2015 define the responsibilities of all parties involved in the supply of services and construction works. The information contained within this document provides guidance for LCC staff who are involved in the procurement of services from outside parties (i.e. contractors), or the supervision of work by contractors. It also clarifies responsibilities with respect to personnel employed through staffing agencies.

## 2. Definitions

In this Code of Practice the term 'contractor' shall be taken to include any contractor, sub-contractor or company providing a service to the County Council. For example, this would include works such as: building maintenance not procured through LCC Property, construction works ordered through existing contracts or frameworks and newly procured construction works.

## 3. Selection and Vetting of Contractors

Obligations on any 'client' commence with ensuring the competence of the service provider at selection stage. It is therefore important that vetting processes ensure that comprehensive health and safety management systems are in place which must include processes for carrying out all necessary risk assessments.

All services shall be procured from companies which have provided the following Health and Safety information:-

- (i) A copy of their current Health and Safety Policy or, where the company has less than 5 employees, a letter setting out their general arrangements for safety at work.
- (ii) Copies of public liability insurance certificates.
- (iii) Copies of employers' liability insurance certificates
- (iv) Copies of professional indemnity insurance certificates (where applicable).
- (v) Copies of licences, certificates and approvals (where relevant).
- (vi) Evidence that formal risk assessments have been carried out for the activities to be undertaken as part of the County Council commission.

## PLACE HEALTH AND SAFETY MANUAL

### 4. Supervision and Inspection of work by Contractors

Safety is everyone's responsibility and the law imposes obligations and responsibilities on both procurers and service providers. It is therefore unacceptable to neglect safety issues on the grounds that a 'contractor' is responsible. Any staff member who procures contracts on behalf of the County Council must be satisfied that the contractor (supply, services and works contracts) has in place an effective health and safety management system. After selection and appointment of a contractor, staff are responsible for:-

- (i) commenting on the adequacy of contractors' health and safety management systems, policies and method statements.
- (ii) providing all relevant health and safety information to contractors. Further defined for construction works under the roles of Client and Principal Designer within The Construction (Design and Management) Regulations 2015
- (iii) as far as is reasonably practicable, verifying that contractors/sub-contractors follow safe systems of working.
- (iv) drawing to the attention of contractors any unsafe practices and reporting such instances to their own line manager.

With respect to (iii) and (iv) it is not possible for County Council staff to be present observing all site work. The level of checking and supervision necessary shall be determined in each particular case. This will be based on many factors and will include:-

- nature of the work.
- previous record of company in health and safety matters.
- documentation provided by the contractor as listed in Section 3 above.
- documentation provided by the contractor pertaining to the particular contract or works (including risk assessments and method statements).
- attitude and competence of site personnel in relation to health and safety matters.

IN ALL CASES OF DOUBT CONSULT YOUR LINE MANAGER.

## PLACE HEALTH AND SAFETY MANUAL

### 5. Labour from Staffing Agencies

Where individuals are employed on a 'labour only' basis (e.g. from staffing agencies) they shall be treated as County Council employees for the purpose of health and safety management. They shall therefore be subject to the Directorate's induction processes, health and safety policies and procedures and all requirements of the Health and Safety Manual and Safety Codes of Practice.

### 6. Work on County Council Premises

Contractors employed on the maintenance or repair of buildings or premises in the occupation of the Directorate shall normally have been vetted by the VinciMouchel Property team and appear on their "Reference List of Contractors". Advice and guidance can be obtained from VinciMouchel Property. Additional guidance is available from the County Council Health and Safety Team.

All other contractors employed by the Directorate will be vetted directly by directorate staff as part of the procurement process.

### 7. Dealing with Unsafe Working Practices on Site

Staff engaged in the supervision and inspection of construction work must be vigilant for unsafe practices. If a situation is observed or anticipated where risks to personnel or the public are unacceptable the procedure outlined below should be followed:-

- (i) As a first priority ensure that neither you nor anyone else (including contractors' staff and members of the public) are at risk. Refuse to enter 'dangerous' areas, even if work has to stop because the area has not been inspected.
- (ii) Speak to the individual(s) to express your views and record in your diary.
- (iii) Speak with their immediate supervisor and record in your diary.
- (iv) Speak with the most senior representative of the contractor on site and record in your diary.
- (v) If the risk is sufficiently serious, ask for the work to be stopped.
- (vi) Write formally to the contractor expressing your views and reminding him of his obligations under the health and safety legislation.
- (vii) Raise any such health and safety matters at site meetings and record in minutes.
- (viii) Write formally to the contractor's head office as an extension of (vi).
- (ix) Contact the appropriate enforcing authority, usually the Health and Safety Executive.

## PLACE HEALTH AND SAFETY MANUAL

### 8. Dealing with Unsafe Working Practices on the Highway

Professional staff of the Directorate, when travelling on the highway, should be alert to any possible danger from highway works. If unsafe working methods or practices are seen then intervention or immediate notification to both a Local Highways Officer and Streetworks and Permit Officer is required.

Any situation which poses danger to the highway user must be addressed at once, with a direct approach to the contractor if necessary and then advising the Local Highways Manager's office of any action taken. In such instances where there is a serious danger to the public then a member of the Local Highway Team will visit the site as soon as possible to ensure that remedial action has been taken and that no danger to the public still exists.

### 9. Contractors People Specification

All Supervisors and Operatives engaged upon Highway Works whether directly employed by Partner Organisations, Contractors or employed indirectly by Subcontractors or Specialists shall meet the following requirements where applicable.

- I. Must be able to demonstrate competence in the work that they are engaged upon by having a relevant certification scheme card e.g. relevant CSCS or Lantra cards appropriate to the level of their duties.
- II. All Supervisors engaged on road works must have a minimum of 5 years experience of highway works together with NRSWA accreditation at NRSWA (Supervisor Level).
- III. All operatives engaged on road works within the highway shall have the relevant NRSWA accreditation of either NRSWA (Operation Level) or NRSWA (Supervisor Level).
- IV. All Plant and Equipment operators shall have a relevant Construction Plant Competence Scheme Card (CPCS) or similar.
- V. Where appropriate supervisors and operatives shall have the relevant Certifications/City & Guild Qualifications to show competence and ability to carry out the following operations and works.
  - Gully Emptyer works
  - White Lining works
  - Crash Barrier works
  - Chainsaw operations
  - Use of Service Avoidance Equipment (CAT)
  - Countryside and arboriculture operations