

## Management of Contractors Policy

<b>Document Reference No:</b>	PTHB HSP-008	
<b>Version No:</b>	3	
<b>Issue Date:</b>	March 2022	
<b>Review Date:</b>	August 2024	
<b>Author:</b>	Senior Health & Safety Officer	
<b>Document Owner:</b>	Senior Health & Safety Officer	
<b>Accountable Executive:</b>	Director of Environment	
<b>Approved By:</b>	Executive Management Team	
<b>Approval Date:</b>	22 <sup>nd</sup> September 2021	
<b>Document Type:</b>	Policy	Non-clinical
<b>Scope:</b>	PTHB wide	

The latest approved version of this document is online.  
 If the review date has passed please contact the Author for advice.

Powys Teaching Health Board is the operational name of Powys Teaching Local Health Board  
 Bwrdd Iechyd Addysgu Powys yw enw gweithredol Bwrdd Iechyd Lleol Addysgu Powys

## Version Control

<b>Version</b>	<b>Summary of Changes/Amendments</b>	<b>Issue Date</b>
1	Version 1 Draft 4	Considered by Executives 25 Aug 21 - not approved
2	Version 1 Draft 5	To be presented 22 <sup>nd</sup> Sept 21
3	Change to Directorate and roles and responsibilities.	March 2022
4		
5		

<b>Item No.</b>	<b>Contents</b>	<b>Page</b>
1	Introduction	6
2	Policy Statement	6
3	Legal Framework	8
4	Definitions	9
5	Organisational Responsibilities	10
6	General Principals of Prevention and Risk Control	14
7	Supervision	15
8	Reporting of Incidents & Accidents	15
9	Monitoring Compliance, Audit & Review	15
10	Policy Implementation Plan	16
11	References	16
Part A	<p>Managing Contractors - Service &amp; Maintenance</p> <p>Appendices</p> <ol style="list-style-type: none"> <li>1. Example questions to ask potential contractors</li> <li>2. Questions you should ask checklist</li> <li>3. Management of Contractor Flow Chart (Guide)</li> </ol>	17
Part B	<p>Managing Contractors – Construction</p> <p>Including:</p> <ol style="list-style-type: none"> <li>1. Estates specific roles &amp; responsibilities.</li> <li>2. Requirements of CDM-15</li> </ol>	24

# ENGAGEMENT & CONSULTATION

## Key Individuals/Groups Involved in Developing this Document

<b>Role / Designation</b>
Senior Health & Safety Officer

## Circulated to the following for Consultation

<b>Date</b>	<b>Role / Designation</b>
25/06/21	Health & Safety Group
01/08/21	Assistant Director: Capital and Estates
16/08/21	Health & Safety Group
25/08/21	Executive Team

### **Evidence Base**

**Please list any National Guidelines, Legislation or Health and Care Standards relating to this subject area?**

These are documented within section 3 the Legal Framework and the reference section of this policy.

## IMPACT ASSESSMENTS

### **Equality Impact Assessment Summary**

	No impact	Adverse	Differential	Positive	Statement
					An Equality Impact Assessment has been undertaken.
<b>Age</b>	X				A summary can be found in the table on the left.
<b>Disability</b>	X				
<b>Gender</b>	X				
<b>Race</b>	X				
<b>Religion/ Belief</b>	X				
<b>Sexual Orientation</b>	X				
<b>Welsh Language</b>	X				
<b>Human Rights</b>	X				
<b>Risk Assessment Summary</b>					
<b>Have you identified any risks arising from the implementation of this policy / procedure / written control document?</b>					
The risks associated with the management of contractors whilst carrying out work on behalf of Powys Teaching Health Board.					
<b>Have you identified any Information Governance issues arising from the implementation of this policy / procedure / written control document?</b>					
No					
<b>Have you identified any training and / or resource implications as a result of implementing this?</b>					
<b>Yes</b> – staff who engage contractors to carry out construction work on behalf of Powys Teaching Health Board (PTHB) on or in PTHB managed premises may require specialist training in the management of contractors to comply with the Construction, Design and Management Regulations 2015, to ensure they can discharge their duties in accordance with the Regulations and in accordance with this policy. Local resource issues may be identified in association with implementing this policy.					

## 1. Introduction

Powys Teaching Health Board (PTHB) regularly engages contractors to work on or at premises owned or leased to the organisation. The management of contractors is an essential part of PTHB's Health and Safety management procedures to ensure the safety of staff, patients, visitors and anyone using the organisation's facilities or services.

Maintenance and construction in general is hazardous work, not only due to the nature of the work being undertaken, but because it is often carried out by persons who are not familiar with the premises, its activities and the hazards associated with them. These factors, if not managed correctly, can put people at risk of harm. It is for this reason, that the management of contractors must be integrated in all management decisions and this includes consulting with staff, either directly or through safety representatives.

Health and safety roles and responsibilities between clients and contractors are not always clear; this can lead to things going wrong. It is essential that all stakeholders co-operate to ensure that health and safety is properly managed in order to avoid injury or loss.

Contractors are engaged to carry out a wide range of work activities on behalf of PTHB. The selection and management of contractors is a critical element of the management of health and safety, for all those who work in and visit PTHB premises or use its services. Works contracted out by the organisation can range from simple work such as the maintenance and repair of hospital, office and other equipment or machinery, through to major construction projects to extend, refurbish or maintain premises or services.

The purpose of this policy is to ensure the organisation has a clear approach to procuring and managing contractors, also to clarify the general health and safety roles and responsibilities when engaging contractors; and to ensure the work undertaken by contractors is done safely.

The Management of Contractors Policy HSP 008 is organised into three parts:

**General Policy Sections (1 - 10)** - These are applicable to all persons engaging contractors to work on behalf of PTHB.

**Part A** – Covers contractors who are engaged to carry out work such as servicing and maintenance of equipment, where no construction work is required, and;

**Part B** – Covers contractors for construction work or high-risk work that could affect critical work that may interrupt critical systems, such as medical gas, electric, water or ventilation.

## 2. Policy Statement

Powys Teaching Health Board (PTHB) recognises the need for high standards of health, safety and welfare, which are an integral element to efficient

management and contribute to the operational effectiveness of the organisation. It also recognises the risks associated with engaging contractors and the legal duties placed on it as an organisation, under Health and Safety Legislation as set out in section 3 of this document.

PTHB recognises the varying types of contractors who work on their behalf and or on behalf of others - i.e. directly engaged and funded at department level or through voluntary organisations. PTHB is committed to ensuring through this policy, that all contractors who work on or at PTHB owned or leased premises are suitably appointed, competent and are appropriately managed. PTHB will, so far as is reasonably practicable, through this policy ensure:

- All work categorised as construction work (as defined in section 4 of this policy) is managed by PTHB Estates Department.
- There is sufficient time and resource for all stages of the agreed contract/work.
- During the procurement process, that sufficient checks are carried out into contractor "competence" and all appointed contractors are part of an accredited industry safety scheme, i.e. Safety Schemes in Procurement (SSIP), where applicable.
- During the procurement process, checks are undertaken to ensure that contractors hold suitable and current liability insurances, relevant to the work to be undertaken and the requirements of Powys Teaching Health Board.
- During the procurement process, contractor checks are undertaken in relation to their past health and safety performance and contractors with a record of poor or questionable health and safety performance are not appointed to work on behalf of PTHB or at its premises, without scrutiny and approval of the Health & Safety Department.
- All work involving contractors is suitably planned and communicated with all concerned stakeholders before it commences.
- All contractor Health and Safety documentation is checked and approved prior to work commencing.
- All contractors work safely in accordance with their risk assessments, method statements and safe systems of work.
- Where "high risk" building, service or maintenance related work (as outlined in Part B – Section 2.6) is being undertaken, this must be done in co-ordination with the Estates Department and where necessary in accordance with a "Permit to Work" system, administered by the Estates department and relevant Appointed Person.
- Contractors are suitably supervised and monitored and the frequency of monitoring should be based on the level of risks associated with the work.

### 3. Legal Framework

Powys Teaching Health Board has a duty under the Health & Safety at Work etc. Act 1974, to ensure the health, safety and welfare of its employees and others who may be affected by its acts or omissions.

The Management of Health and Safety at Work Regulations 1999, which requires suitable and sufficient risk assessments to be undertaken. To ensure the hazards and risks associated with work activities are identified and suitable control measures are implemented to eliminate or manage the risk.

In addition, but not limited to; the following Regulations also apply with regard to the Management of Contractors:

- The Construction, Design and Management Regulations 2015 (CDM15)
- The Workplace (Health, Safety & Welfare) Regulations 1992
- The Control of Substances Hazardous to Health 2002 (COSHH) – As amended
- The Control of Asbestos at Work Regulations 2012 (CAR12)
- The Control of Lead at Work Regulations 1998
- Working at Height Regulations 2005
- The Regulatory Reform (Fire Safety) Order 2005
- The Reporting of Incidents, Disease and Dangerous Occurrences Regulations 2013

### 4. Definitions

**Client** – An organisation or person who has work carried out on their behalf.

**Contractor** – anyone you ask to do work for you who is not an employee (excluding volunteers and clinical agency staff. These groups are covered in separate Workforce policies).

**Competent** - A competent person/organisation is one who has sufficient training and experience or knowledge and other qualities that allow them to assist you properly. The level of competence required will depend on the complexity of the situation and the particular help you need.

**Construction Work** – means the carrying out of any building, civil engineering or engineering construction work and includes –

(a) the construction, alteration, conversion, fitting out, commissioning, renovation, repair, upkeep, redecoration or other maintenance (including cleaning which involves the use of water or an abrasive at high pressure, or the use of corrosive or toxic substances), de-commissioning, demolition or dismantling of a structure;

(b) the preparation for an intended structure, including site clearance, exploration, investigation (but not site survey) and excavation (but not pre-construction archaeological investigations), and the clearance or preparation of the site or structure for use or occupation at its conclusion;

(c) the assembly on site of prefabricated elements to form a structure or the disassembly on site of the prefabricated elements which, immediately before such disassembly, formed a structure;

(d) the removal of a structure, or of any product or waste resulting from demolition or dismantling of a structure, or from disassembly of prefabricated elements which immediately before such disassembly formed such a structure;

(e) the installation, commissioning, maintenance, repair or removal of mechanical, electrical, gas, compressed air, hydraulic, telecommunications, computer or similar services which are normally fixed within or to a structure,

**Project Manager** - Is any individual, within the health board or acting on the organisation's behalf, managing works or projects, engaging duty holders under CDM15, or engaging contractors directly to carry out work in or on PTHB premises or overseeing voluntary organisations to undertake this work.

## 5. Organisational Responsibilities

### 5.1

#### Chief Executive

The Chief Executive has overall responsibility and is accountable to the board of PTHB for the management of health & safety within the organisation. These include the responsibility for the resourcing and implementation of all measures needed to comply with this policy, relevant legislation and guidance. These are outlined in more detail within PTHB HSP 001- Corporate Health and Safety Policy.

<p><b>5.2</b></p>	<p><b>Executive Directors</b></p> <p>Executive Directors are responsible to the Board of PTHB and for ensuring that all risks associated with the management of contractors have been identified and are adequately controlled within their areas of responsibility. They are also responsible for ensuring appropriate resources are available for the effective implementation of this policy and its communication, along with any measures required to control the risk associated with the management of contractors.</p>
<p><b>5.3</b></p>	<p><b>Director of Environment</b></p> <p>In addition to the responsibilities outlined in 5.2, the Director of Environment will take lead responsibility for the management of health &amp; safety at corporate level and is accountable for this to the Board of PTHB. These responsibilities include ensuring that the organisation receives competent advice and guidance regarding the management of contractors.</p>
<p><b>5.4</b></p>	<p><b>Assistant Director – Capital &amp; Estates</b></p> <p>The Assistant Director of Capital &amp; Estates is accountable to the Director of Planning and Performance. The Assistant Director is responsible for ensuring:</p> <ul style="list-style-type: none"> <li>• That processes, procedures and systems are in place within the Estates Department to ensure compliance and to facilitate the requirements of this policy.</li> <li>• That all who undertake work in connection with the development, maintenance or disposal of PTHB assets or those leased to the organisation, do so in accordance with all legislative requirements and the requirements set out within this policy.</li> <li>• Duty holder appointments required under the CDM15 are made for all construction projects/work as set out in the Regulations, this will include any projects that will be locally managed (i.e. outside of the Estates function), those appointed are sufficiently competent to fulfil their appointed roles.</li> <li>• All projects or construction work undertaken within PTHB are subject to Estates’ approval and are managed by suitably competent persons.</li> <li>• Adequate resources, including reasonable access to competent project managers, is available to enable PTHB to manage construction works in accordance with legislative and policy requirements.</li> <li>• Regular audits are undertaken regarding the management of contractors, where work is being either Capital or Maintenance</li> </ul>

work on behalf of the organisation, or where construction work on PTHB assets being managed by others (i.e. through direct appointment by departments or voluntary organisations), including regular checks on the adherence to PTHB policies and procedures.

## 5.5

### **Senior Managers, Line Managers / Supervisors**

For example: Assistant Directors/Business Managers/Heads of Services/Support Services Managers (and those responsible for service delivery), are responsible for ensuring:

- Where contractors are engaged, for example to service and maintain equipment, ensure this is done in accordance with Part A of this policy - Contractor Management – Maintenance & Servicing).
- They liaise and cooperate closely with all stakeholders as identified in this policy but not limited to, on all matters relating to the management of contractors within their areas of responsibility.
- All building repair, building refurbishment or construction work as defined in section 4 of this policy is managed by the Estates department. This includes decoration and cleaning using water or abrasives at high power.
- Where service or maintenance work that could interrupt critical systems, i.e. medical gases, electrical, water or ventilation systems is conducted in liaison with the Estates department and, where required, the PTHB 'Permit to Work' system.
- Suitably competent persons are appointed through the Estates department to manage repairs/refurbishment or construction work on behalf of their department.
- Liaise closely and seek the necessary approvals from the Estates department; where voluntary organisations wish to carry out work on any part of the estate.
- The day-to-day management of health and safety within their area of responsibility, ensuring they address or escalate any reported safety issues relating to contractors to the Estates team and to Health & Safety.
- Suitable supervision and monitoring of contractors that have been engaged directly or through voluntary organisations.
- They inform all employees of the proposed work and how it is to be managed.

	<ul style="list-style-type: none"> <li>To assist with the process, refer to the appendices in Part A of the policy, which includes a flow chart (Appendix 3) along with “Example questions to ask potential contractors” (Appendix 1), and a simple “Questions to Ask” checklist (Appendix 2).</li> </ul>
<p><b>5.6</b></p>	<p><b>Employees</b></p> <p>All PTHB staff have a duty under the Health and Safety at Work etc. Act 1974, to co-operate with their employer in all matters relevant to Health and Safety. PTHB employees will need to be aware that contractors are working in their area and ensure:</p> <ul style="list-style-type: none"> <li>They report any health and safety concerns relating to the management of contractors working on behalf of the organisation to their line manager or the Health and Safety Team, as soon possible, in order to ensure remedial actions can be taken.</li> </ul>
<p><b>5.7</b></p>	<p><b>Fire Safety Advisors</b></p> <p>The Fire Safety Advisors are responsible for:</p> <ul style="list-style-type: none"> <li>Working closely with those responsible for projects and management of contractors, in the provision of advice and practical assistance in all matters relating to fire safety, where the work of contractors has the potential to effect fire safety on site.</li> <li>Ensuring project fire safety information is submitted as part of the project documentation, to ensure it is fit for purpose and meets the requirements of the Fire Safety Legislation and associated Guidance.</li> <li>Undertaking Fire Safety audits and inspections during projects, to ensure the implementation of fire safety provisions are being adhered to on site.</li> </ul>
<p><b>5.8</b></p>	<p><b>Infection, Prevention &amp; Control</b></p> <p>Will be responsible for:</p>

	<ul style="list-style-type: none"> <li>• Providing advice on matters relating to infection prevention and control and the risks which could arise as a result of contractors working within clinical areas.</li> <li>• Performing audits in clinical areas where construction/alteration work is being undertaken to ensure that the highest standards of infection prevention and control are maintained throughout the work.</li> </ul>
<p><b>5.9</b></p>	<p><b>Senior Health and Safety Officers</b></p> <p>Reporting to the Assistant Director of Support Services. The Senior Health and Safety Officers will be responsible through PTHB’s Health and Safety management system for:</p> <ul style="list-style-type: none"> <li>• reporting to the Health and Safety Group any reported issues relating to the management of contractors and the action taken to prevent recurrence;</li> <li>• development of the PTHB Management of Contractor Policy and advising on its implementation;</li> <li>• monitoring and review of the effectiveness of the Policy and its implementation through audits and site inspections;</li> <li>• communicating changes in legislation and best practice;</li> </ul>

## **6. General Principals of Prevention and Risk Control**

These principles are a requirement of the Management Regulations and apply to all industries, including construction. They provide a framework to identify and implement measures to control risks which contractors must adhere to when working on PTHB premises or on behalf of the organisation.

The general principles of prevention and risk control are to:

- (a) avoid risks;
- (b) evaluate the risks which cannot be avoided;
- (c) combat the risks at source;
- (d) adapt the work to the individual, especially regarding the design of workplaces, the choice of work equipment and the choice of working and production methods, with a view, in particular, to alleviating monotonous work, work at a predetermined work rate and to reducing their effect on health;
- (e) adapt to technical progress;
- (f) replace the dangerous with the non-dangerous or the less dangerous;
- (g) develop a coherent overall prevention policy which covers technology, organisation of work, working conditions, social relationships and the influence of factors relating to the working environment;
- (h) give collective protective measures priority over individual protective measures; and
- (i) give appropriate instructions to employees.

Contractors must ensure the hazards and risk associated with any work they are engaged to carry out are identified and suitable control measures are implemented to eliminate, reduce or manage the risks. They must ensure this is documented in Risk Assessments, Method Statements or any Safe Systems of Work, including Construction Phase Plans (construction work).

Those engaging contractors must ensure this documentation is in place, checked, fit for purpose and is adhered to throughout the duration of the work/project.

## **7. Supervision**

Contractors are responsible for supervising their own work and for ensuring that they work safely. However appointing Officers/Managers must assess and determine a reasonable level of oversight. The amount of contact with, and

supervision of, the contractor must be related to the hazards and risks associated with the job. It needs to be decided and agreed at the beginning of the work/project. For high-risk jobs, e.g. where a 'permit to work' is used more contact is needed than for jobs assessed as low risk.

The level of supervision required on-site for the work/project being carried out will depend on the risks involved and the level of skills, knowledge, training and experience of the workforce. Contractors (including principal contractors) must make sure supervision is effective and suitable site inductions are provided along with other information – such as the procedures to be followed in the event of serious and imminent danger to health and safety, they must also ensure they consider if closer supervision is required if those working for them are young and in-experienced.

## **8. Reporting of Incidents & Accidents**

All accidents and incidents that occur whilst contractors are working on behalf PTHB must be reported in accordance with the contractors' accident and incident reporting procedures and are to be monitored by PTHB as part of the work/project during project/work meetings.

Any accidents or Incidents that are reportable to the HSE under the Reporting of Injures Diseases or Dangerous Occurrences Regulations 2013, must be notified to the Appointing Officer/Manager immediately and must be investigated to establish the cause and to prevent a re-occurrence. All accidents and incidents are to be investigated by the contractor to ensure suitable control measures are implemented to prevent a re-occurrence.

If any contractor accident or incident involves a member of PTHB staff, patients, those visiting PTHB premises or using PTHB services then these must be reported via the Once for Wales Incident Reporting System - <https://powys.private.prod-uk.datixcloudiq.co.uk/>

## **9. Monitoring Compliance, Audit & Review**

Compliance with this policy will be monitored through regular inspections and audits of projects, contractors and their operative's along with their health and safety performance. This will be carried out by the Estates Department, Project Managers and Senior Health & Safety Officers as part of the corporate health & safety audit schedule.

This document will be reviewed every three years; or earlier should audit results or changes to legislation / practice within PTHB indicate otherwise.

## **10. Policy Implementation**

All Powys Teaching Health Board Health and Safety policies will be implemented and communicated in the following ways:

- Through Powys Announcements
- The Health and Safety Web-site
- Management Team meetings
- Through delivery at Assistant Director Development Sessions and on-line Workshops.
- Implementation and compliance will be monitored through audits undertaken or commissioned by the Health & Safety team.

## **11. References**

The Health and Safety at Work etc. Act 1974

<https://www.legislation.gov.uk/ukpga/1974/37/contents>

The Management of Health and Safety at Work Regulations

<https://www.legislation.gov.uk/uksi/1999/3242/contents/made>

L153-Managing Health & Safety in Construction (CDM15)

<https://www.hse.gov.uk/pubns/priced/l153.pdf>

HSG-159 Managing contractors (a guide for employers)

<https://www.hse.gov.uk/pubns/priced/hsg159.pdf>

HSG-168 Fire Safety in Construction

<https://www.hse.gov.uk/pubns/priced/hsg168.pdf>

INDG-369 using contractors (a brief guide)

<https://www.hse.gov.uk/pubns/indg368.pdf>

# PART A

## **Part A – Management of Contractors (Service & Maintenance)**

Those appointing contractors and contractors have responsibilities under health and safety law. Everyone needs to take the right precautions to reduce the risks of workplace dangers to employees and the public. Make sure everyone understands the part they need to play in ensuring health and safety.

### **What you need to do:**

#### **1. Identify the job –**

Identify all aspects of the work you want the contractor to do. Consider the health and safety implications associated with the work and any known or existing hazards that may be present. The level of risk will depend on the nature and complexity of the work. You should provide potential contractors with this information and make sure they know and understand the performance you expect of them. You could include this information in the job specification. If the work falls under the definition of “construction work” as defined in Section 4 of this policy, then you must liaise with the Estates Department before proceeding.

#### **2. Select a suitable contractor –**

You will need to satisfy yourself that the contractor you choose can do the job safely and without risks to health. This means making enquiries about the competence of the contractor – do they have the right combination of skills, experience and knowledge? The degree of competence required will depend on the work. Similarly, the level of enquiries you make should be determined by the level of risks and the complexity of the job. Some example questions for prospective contractors are included in Appendix 1.

#### **3. Assess the risks of the work –**

Both you and the contractor need to think about the planned work:

- What can harm people
- Who might be harmed and how
- How will the risks be controlled

You should ensure that any risks associated with your business either property or work activities related are communicated to the contractor (e.g. asbestos, on-site vehicles).

The contractor must assess the risks for the contracted work and then you must both consider any risks from each other’s work that could affect the health and safety of the workforce or anyone else. You need to think about any risks to your employees, patients, visitors and members of the public, because you have contractors on site. All risk assessments, method statements and safe systems of work must be provided by the contractor in writing in advance of any work commencing. The appointing Manager must check and approve these, to ensure

the measures need to control the risk are sufficient and agreed before work proceeds.

#### **4. Provide information, instruction and training –**

You and the contractor need to communicate with each other throughout the process. Make sure that the contractor and their employees have information on:

- health and safety risks, they may face;
- measures in place to deal with those risks;
- your emergency procedures.

The information you provide should be in a form that is easy to understand. Similarly, you must provide clear instructions, information and adequate training for your own employees.

#### **5. Cooperate and coordinate with the contractor –**

You and the contractor must work together and coordinate your activities, to make sure the work can be done safely and without risks to health. One way of doing this is to have regular meetings throughout. The level of cooperation and coordination needed will depend on:

- the job to be done;
- the number of contractors (or subcontractors) involved;
- the risks involved
- site induction
- site access times/restrictions
- signing in/out

#### **6. Consult the workforce –**

You have to consult your employees on health and safety matters. Involving your workers will help you make better decisions on the actual risks and the measures to control them. Involve your workers in the process and consult them on:

- how the contractor's work will affect their health and safety;
- information and training;
- making sure they know how to raise any concerns they may have about the contractors and their work;

#### **7. Manage and supervise the work –**

Decide what you need to do to manage contractors' work. The measures you put in place should be consistent with the level of risk, i.e. the greater the risk, the more you need to do.

Consider:

- Who will be responsible for the work and what do you expect them to do?

- Who will supervise the work and how?
- How will the work be done and what precautions will be taken?
- What equipment should or should not be worked on/used?
- What personal protective equipment is to be used and who will provide it?
- What are the working procedures, including any permits-to-work?
- What are the arrangements for stopping the work, if there are serious health and safety concerns?

Once the work has started, make sure you keep a check on how the work is going against what you have agreed.

You can do this by:

- regular checks – ask yourself ‘are the control measures working?’
- investigating if things go wrong, e.g. near misses, accidents, ill health. Ask yourself ‘what went wrong and what can we do to prevent it happening again?’

After the job is finished, there will be benefits in reviewing and learning from any lessons to see if performance can be improved in future.

## **Appendix 1**

### **Example questions to ask potential contractors:**

- What arrangements will you have for managing the work? For example, who will be responsible, how will the work be supervised, what checks do you make on equipment and materials etc?
- Will you be using subcontractors and if so how will you check they are competent? The level of competence for subcontractors will depend on the risk and the complexity of the work.

■ What is your recent health and safety performance? For example, how many accidents and cases of ill health have you had, has HSE taken any action taken against you?

■ Do you have a written health and safety policy? (This is only a requirement if five or more people are employed.)

■ Can you provide existing risk assessments done for similar jobs? Again, written risk assessments are only required by law if five or more people are employed. But this would be an expectation when working on or at PTHB premises or on behalf of the organisation.

■ What qualifications, skills and experience do you have in this type of work?

■ What health and safety information and training do you provide for your workers?

■ If required, do you have Employers' Liability Compulsory Insurance?

■ Do they have any independent assessment of their competence?

■ Are they members of a trade association or professional body?

## Appendix 2

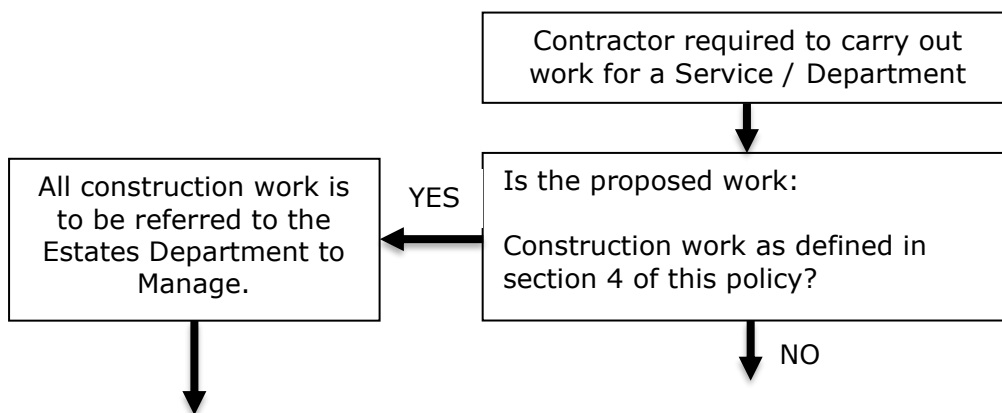
### Questions You should ask Checklist

Questions Checklist	Yes/No
Have you identified all aspects of the work you want the contractor to do?	
Have you included the health and safety implications of the work in the job specification?	
Is the work construction or building work, if so have you referred this to the Estates Department to manage?	
Is the work likely to interrupt critical systems such as: Medical gases, electrical, water or ventilation? If so have you liaised closely with the Estates department?	
Have you made enquiries about the competence of the contractor? If so, have you checked for evidence before they get the job?	

Have you checked the Health and Safety background of the contractor? Are they part of an accredited industry safety scheme?	
Have you checked the contractor has the relevant insurances?	
Have you assessed the risks of the work and agreed action to control the risks with the contractor?	
Have you provided the contractor and their employees with information about the risks?	
Have you provided the contractor and their employees with your emergency procedures?	
Have you provided instructions, information and training for your own employees?	
Have you put in place arrangements with the contractor to coordinate your activities during the work?	
Have you consulted your employees about the work and how they can raise any concerns?	
Have you identified who will be responsible for the work and what you will expect them to do?	
Have you identified who will supervise the work and how?	
Have you put in place arrangements to keep a check on how the work is going against what you have agreed with the contractor?	
Have you agreed how the job will be reviewed to learn any lessons from it?	

### Appendix 3

## Management of Contractor Flow Chart



**NOTE:**  
This flow chart is to be used as a guide for those engaging contractors. It is **NOT** to be used as a substitute for adhering to the content of the Management of Contractor Policy HSP-008

Service/Department Managers must liaise closely with the Estates Department /Project Managers through all phases of the work to ensure they discharge their duties as "Client" in relation to any construction work or projects.

Is the proposed work:  
Work that may interrupt critical systems i.e. medical gases, electrical, water or ventilation?  
Work that may disturb the fabric of the building?

YES  
→

Liaise with Estates to ensure all "high risk" work that could interrupt critical systems or disturb the fabric of the building is managed correctly and where required through a Permit to Work System (administered by Estates Appointed Persons)

NO  
↓

Managers who engage contractors directly will be responsible for:

- Ensuring contractors pre-appointment Health and Safety checks are undertaken prior to engagement.
- Ensuring contractors are briefed on any known Health and Safety risk associated with the work or location.
- Checking and approving Risk Assessments & Method Statements.
- Ensuring site inductions are carried out.
- Ensuring Health and Safety is adhered to for the duration of the work.
- Supervising and monitoring contractor performance whilst on-site and for the duration of the project.

# PART B

## **Part B – Management of Contractors – (Construction)**

### **1. Estates Roles & Responsibilities**

#### **Head of Capital & Head of Estates**

Are responsible for ensuring all construction and maintenance works covered under CDM15 are managed in accordance with the Regulations, including ensuring:

- All stakeholders outlined within this policy (but not limited to), are closely liaised with in the pre-construction phase of all projects and as required during the construction phase of all projects.
- Close liaison between the project team and Client (those who the work is being done for) during all phases of the project.
- Only suitably competent persons are appointed to manage projects on behalf of PTHB.

- All duty holder appointments for construction work are clearly defined and documented in accordance with CDM15, and this clearly sets out their roles and responsibilities.
- All necessary due-diligence checks have been undertaken with regard to the appointment of contractors and this is appropriately documented.
- Only competent contractors who are accredited through SSIP (or equivalent safety scheme for specialist companies) are appointed to undertake construction work/projects on behalf of PTHB and the rationale for appointment is clearly documented.
- Services provided by external providers/contractors are appropriate, effective, efficient, safe and compliant with current statutory legislation.
- Contractors are suitably monitored, supervised and managed throughout the duration of the project.
- Regular audits are undertaken regarding the management of contractors including regular checks on adherence to the organisations policies and procedures.
- Provide feedback to Shared Services on any poor health and safety performance by a contractor, so this can be considered during future appointments.
- All services and departments are provided with adequate information about routine works that Estates' contractors will be carrying out in their areas. This will include giving sufficient advanced notice of when, where and how such works will be carried out and ensuring adequate communications with local management about matters which could affect the health, safety or welfare of patients, visitors or members of staff whilst the works are delivered.

## **Capital Project Managers & Estates Officers**

Including – Capital Project Managers/Estates Officers/Estates Supervisors, are responsible for ensuring:

- Compliance with Section 8 of this policy.
- All duty holders' appointments are done so in accordance with CDM15 and those appointed are suitably competent to fulfil their appointed roles and responsibilities.
- Where required duty holder appointments under CDM15 are in writing.

- All duty holder appointments for construction work are clearly defined and documented in accordance with CDM15, and this clearly sets out their roles and responsibilities
- The scope of the work/project is clearly defined with all relevant information and documentation relating to the work/project being communicated during the pre-construction phase and as required throughout the project.
- All duty holders carry out their duties diligently.
- Sufficient time and resources are allocated for each project to ensure all health and safety obligations can be suitably discharged.
- All stakeholders outlined within this policy (but not limited to), are closely liaised with in the pre-construction and construction phase of all projects.
- All necessary due-diligence checks have been undertaken with regard to the appointment of contractors and these are documented.
- Only competent contractors who are accredited through SSIP or equivalent safety schemes are appointed to undertake construction work/projects on behalf of PTHB.
- Suitable arrangements are in place to ensure all projects and contractors are managed appropriately.
- Ensure that all contractor Risk Assessment & Method Statements (RAMS) are competently reviewed and approved prior to the commencement of any works.
- Ensure contractors are aware of and adhere to the PTHB Permit to work system that is in place as outlined in Section 8 of this policy.
- Conduct contractor site inductions to include local arrangements, including:
  - site security
  - fire & first aid
  - waste management
  - asbestos management
  - permit to work systems
  - Pre-Commencement Forms are completed prior to starting any work
  - Contractors sign in and out and wear appropriate identification
- Undertake regular site monitoring to help ensure contractors are working in accordance their submitted RAMS and adopting best health and safety practice.

- Ensure all construction work/projects comply with section 8 of this policy
- Suitable welfare facilities are provided before the start of any work/project.
- Ensure feedback is provided to Head of Capital and Estates regarding contractor health and safety performance also any lessons learnt and for future reference.
- All project documentation meets the requirements of CDM15 and where applicable Health and Safety files are appropriately handed over at the end of each project, and where items or systems have been installed/altered and require on-going regular checks and maintenance these are included on the relevant inspection and maintenance schedules.

## **2. Requirements of CDM-15**

### **2.1 Appointing the Right Organisation and People at the Right Time.**

Appointing the right organisations and individuals to complete a particular construction project is fundamental to its success, including health and safety performance.

Therefore, anyone responsible for appointing designers (including principal designers) or contractors (including principal contractors) to work on a project must ensure that those appointed have the skills, knowledge and experience to carry out the work in a way that secures health and safety.

Regardless of the process of appointment, Sell2Wales or through a Framework Contract etc. anyone responsible for appointing contractors must carry out their own due-diligence health and safety background checks. This is to ensure those being appointed do not have a poor or questionable health and safety performance either externally or during previous work carried out for PTHB. These checks should be referenced in the project documentation.

Designers and contractors (including individuals and sole traders) must be able to demonstrate they have the health and safety skills, knowledge and experience to carry out the work for which they are seeking appointment. This is the case for individuals working for larger organisations or for themselves – in particular, self-employed designers.

If those appointed are an organisation, they must also have the appropriate organisational capability. Those making the appointments

must establish that those they appoint have these qualities before appointing them. Similarly, any designers or contractors seeking appointment as individuals must ensure they have the necessary skills, knowledge and experience.

Duty holders should be appointed at the right time. For example, clients must appoint principal designers and principal contractors as soon as practicable and before the start of the construction phase, so they have enough time to carry out their duties to plan and manage the pre-construction and construction phases respectively.

## 2.2 CDM-15 Roles & Responsibilities

Those engaging contractors for construction work must ensure they clearly set out in writing for each project and as part of the project documentation, the roles and responsibilities as outlined in CDM15. This is to ensure everyone involved in the project clearly understands their roles and responsibilities, in order for them to discharge these sufficiently, this includes:

**Client** – organisations or individuals for whom a construction project is carried out. Most clients, particularly those who only occasionally commission construction work, will not be experts in the construction process. For this reason, they are not required to take an active role in managing the work. However, the client is required to make suitable arrangements for managing the project so that health, safety and welfare is secured, their duty is to:

Make suitable arrangements for managing a project. This includes making sure:

- other duty holders are appointed;
- sufficient time and resources are allocated.
- relevant information is prepared and provided to other duty holders;
- the principal designer and principal contractor carry out their duties;
- welfare facilities are provided.

**Designer** – are those, who as part of a business, prepare or modify designs for a building, product or system relating to construction work, their duties include:

When preparing or modifying designs, to eliminate, reduce or control foreseeable risks that may arise during:

- construction; and
- the maintenance and use of a building once it is built.

- Provide information to other members of the project team to help them fulfil their duties.

**Principal Designer** – are designers appointed by the client in projects involving more than one contractor. They can be an organisation or an individual with sufficient knowledge, experience and ability to carry out the role, their duties are to:

Plan, manage, monitor and coordinate health and safety in the pre-construction phase of a project. This includes:

- Identifying, eliminating or controlling foreseeable risks;
- ensuring designers carry out their duties.
- Prepare and provide relevant information to other duty holders.
- Provide relevant information to the principal contractor to help them plan, manage, monitor and coordinate health and safety in the construction phase.

**Principal Contractor** – are contractors appointed by the client to coordinate the construction phase of a project where it involves more than one contractor and their duty is to plan, manage, monitor and coordinate health and safety in the construction phase of a project. This includes:

- liaising with the client and principal designer;
- preparing the construction phase plan;
- organising cooperation between contractors and coordinating their work. Ensure:
  - suitable site inductions are provided;
  - reasonable steps are taken to prevent unauthorised access;
  - workers are consulted and engaged in securing their health and safety; and
  - welfare facilities are provided.

**Contractors** – are those who do the actual construction work and can be either an individual or a company, and their duty is to:

- (a) Plan, manage and monitor construction work under their control so that it is carried out without risks to health and safety.
- (b) For projects involving more than one contractor, coordinate their activities with others in the project team – in particular, comply with directions given to them by the principal designer or principal contractor.
- (c) For single-contractor projects, prepare a construction phase plan.

In accordance with CDM15 the Client must appoint in writing the Principal Designer for the Project and also the Principal Contractor.

## 2.3 Pre-Construction Health & Safety Information

Pre-construction health and safety information is needed by:

- (a) designers and contractors who are bidding for work on the project, or who have already been appointed to enable them to carry out their duties;
- (b) principal designers and principal contractors in planning, managing, monitoring and coordinating the work of the project.

Pre-construction information provides a basis for the preparation of the construction phase plan and is defined as information about the project that is already in the client's possession or which is reasonably obtainable by or on behalf of the client. The information must:

- (a) be relevant to the particular project;
- (b) have an appropriate level of detail; and
- (c) be proportionate to the risks involved.

Pre-construction information should be gathered and added to as the design process progresses and reflect new information about the health and safety risks and how they should be managed. Preliminary information gathered at the start of the project is unlikely to be sufficient.

When pre-construction information is complete, it must include proportionate information about:

- (a) the project, such as the client brief and key dates of the construction phase;
- (b) the planning and management of the project such as the resources and time being allocated to each stage of the project and the arrangements to ensure there is cooperation between duty holders and the work is coordinated;
- (c) the health and safety hazards of the site, including design and construction hazards and how they will be addressed. An example of this is asbestos; where the Estates Asbestos Manager (AP) will ensure contractors are given access to relevant Asbestos information through existing Registers, Surveys and Management Plans, and where required will

arrange for Refurbishment or Demolition surveys to be undertaken ahead of any work as required;

- (d) any relevant information in an existing health and safety file.

The information should be in a convenient form and be clear, concise and easily understandable to help other duty holders involved in the project to carry out their duties.

## **2.4 Construction Phase Plan (CPP)**

The construction phase plan is a document that must record the following:

- (a) health and safety arrangements for the construction phase;
- (b) site rules; and
- (c) where relevant, specific measures concerning work that falls within one or more of the categories listed in Schedule 3 of CDM 15.

The construction phase plan must record the arrangements for managing the significant health and safety risks associated with the construction phase of a project. It is the basis for communicating these arrangements to all those involved in the construction phase, so it should be easy to understand and as simple as possible.

In considering what information is included, the emphasis is that it:

- (a) is relevant to the project;
- (b) has sufficient detail to clearly set out the arrangements, site rules and special measures needed to manage the construction phase; but
- (c) is still proportionate to the scale and complexity of the project and the risks involved.

The plan should not include documents that get in the way of a clear understanding of what is needed to manage the construction phase, such as generic risk assessments, records of how decisions were reached or detailed safety method statements.

The following list of topics should be considered when drawing up the plan:

- (a) a description of the project such as key dates and details of key members of the project team;
- (b) the management of the work including:

- the health and safety aims for the project;
- the site rules;
- arrangements to ensure cooperation between project team members and coordination of their work, e.g. regular site meetings;
- arrangements for involving workers;
- site induction;
- site security;
- welfare facilities; and
- fire and emergency procedures;

Also, to be included in the construction phase plan is the control of any of the specific site risks as outlined in Schedule 3 of HSE's – L153 where they are relevant to the work involved.

## 2.5 Notifiable Projects –

A project is notifiable to the Health and Safety Executive (HSE) if the construction work on a construction site is scheduled to:

- (a) last longer than 30 working days and have more than 20 workers working simultaneously at any point in the project;
- or
- (b) exceed 500-person days.

If a construction project is not notifiable at first, but there are subsequent changes to its scope so that it fits the criteria for notification, the client must notify the work to the relevant enforcing authority as soon as possible.

The client must submit the notice as soon as practicable before the construction phase begins. In practice, the client may request someone else do this on their behalf. Any modifications or updates to the notification should be sent, making clear that they relate to an earlier notification.

The client must ensure that an up-to-date copy of the notice is displayed in the construction site office, so it is accessible to anyone working on the site and in a form that can be easily understood. The client can either do this themselves, or ask the principal contractor or contractor to do so.

**Remember – the requirements of CDM 2015 apply whether or not the project is notifiable.**

## 2.6 Permit to Work (PTW) -

Permits to Work (PTW) are an essential part of safe systems of work, where high-risk work activities need to take place and an important means of controlling risks, to ensuring the Health and Safety of

employees, contractors and others who could be affected by our acts or omissions. Non-routine high-risk tasks such as Hot Work, work on electrical systems, maintenance on piped medical gases, etc. can produce health and safety risks over and above those normally encountered. Specific WHTM's may also require a PTW system to be implemented to control the risk, due to the nature of the activity.

PTHB operates a Permit to Work system, to ensure where high-risk work activities (as outlined below) are to be carried out in or on its premises, or those it leases, this can only be done with specific permission of PTHB and its Authorised Persons (AP).

All contractors working in or on PTHB premises or those it leases, must adhere to the PTW system. The system is administered by the Estates Department and prohibits high-risk work without approval from a PTHB Authorised Persons and it to be used for all high-risk work activities which may include (but is not limited to) those listed below if the work is deemed high-risk:

- Working on or interrupting the electrical systems;
- Working on or interrupting piped medical gas systems;
- Working on or interrupting air systems;
- Working in plant/switch rooms;
- Carrying out hot work e.g. welding or other flame / spark producing tools;
- Working in confined spaces;
- Digging/excavation or ground works;
- Working on the water supply.
- Work on or interfering with structural fabric of the building where asbestos could be present, ensuring the requirements of the Asbestos Management plans are followed;
- Work within or impact on critical/clinical areas

The Estates department will keep a register of all PTW that are issued for auditing purposes.

## **2.7 Health & Safety File**

The health and safety file is defined as a file appropriate to the characteristics of the project, containing relevant health and safety information to be taken into account during any subsequent project. The file is only required for projects involving more than one contractor.

The file must contain information about the current project likely to be needed to ensure health and safety during any subsequent work, such as maintenance, cleaning, refurbishment or demolition. When preparing the health and safety file, information on the following should be considered for inclusion:

- (a) a brief description of the work carried out;

- (b) any hazards that have not been eliminated through the design and construction processes, and how they have been addressed (e.g. surveys or other information concerning asbestos or contaminated land);
- (c) key structural principles (e.g. bracing, sources of substantial stored energy – including pre or post-tensioned members) and safe working loads for floors and roofs;
- (d) hazardous materials used (e.g. lead paints and special coatings);
- (e) information regarding the removal or dismantling of installed plant and equipment (e.g. any special arrangements for lifting such equipment);
- (f) health and safety information about equipment provided for cleaning or maintaining the structure;
- (g) the nature, location and markings of significant services, including underground cables; gas supply equipment; fire-fighting services etc;
- (h) information and as-built drawings of the building, its plant and equipment (e.g. the means of safe access to and from service voids and fire doors).

There should be enough detail to allow the likely risks to be identified and addressed by those carrying out the work. However, the level of detail should be proportionate to the risks. The file should not include things that will be of no help when planning future construction work such as pre-construction information, the construction phase plan, contractual documents, safety method statements etc. Information must be in a convenient form, clear, concise and easily understandable.