



# Contractors Management Policy

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# 1 Introduction

Our Lady of Walsingham Catholic Multi Academy Trust (the Trust) takes its responsibility to ensure the health and safety of pupils, staff and visitors very seriously.

This policy has been created to ensure that contractors meet their legal duty to not cause risk to the health and safety of themselves or others when carrying out their activities.

Contractors, sub-contractors and specialists working on the school premises are all required to comply with relevant health and safety legislation and HSE guidance and to follow the school's safeguarding procedures.

In addition, the school is required to ensure the safety of contractors by informing them of all risks on the premises, such as asbestos, that may affect them during their activities

## 2 Legal Requirements

The Trust has legal obligations to ensure the health and safety of any contractor undertaking work on its behalf; it also has a responsibility to ensure that the contractors' activities do not harm employees or others.

All employees of the school and the contractors have a legal duty to take reasonable care for the safety of themselves and others, and to co-operate with their employers.

If maintenance, small scale building work or other minor works are carried out, the Trust has legal duties under the Construction (Design & Management) Regulations 2015 (CDM). Compliance with CDM will ensure that legal obligations are met and ensure construction work and repairs are undertaken safely and without risk to health.

Further information on CDM can be accessed on the HSE's website: [www.hse.gov.uk/construction/cdm/2015/](http://www.hse.gov.uk/construction/cdm/2015/).

## 3 Roles and responsibilities

**The Headteacher** is responsible for:

- Ensuring that all contractors follow the school's Health and Safety Policy
- Ensuring that contractors work in a responsible and professional manner
- Making arrangements for contractors to work safely on site during the school day
- Ensuring that the working agreement is adhered to
- Notifying the contractor of any potential risks posed by the premises **NB:** Tasks can be delegated to other staff members but the responsibility remains with the Headteacher.

**All members of school staff** are responsible for:

- Taking reasonable care of their own health and safety, along with the health and safety of pupils, visitors and contractors
- Making themselves aware of any upcoming work on site and associated working agreements

**Contractors** are responsible for:

- Complying with all health and safety policies and procedures provided by the school
- Acting in a responsible and professional manner
- Actively working towards an optimal working agreement between themselves and the school

## 4 The Planning Stage

Prior to commencing work, the school will identify all aspects of the work requiring a contractor and consider the health and safety implications of each.

Before moving forwards, the school will ensure it has taken the following steps:

- It has obtained the consent of the Diocese and the Trust
- It has all required statutory approvals and planning permission
- It is certain that existing building utilities sustain the new work
- It has ascertained whether the project falls under the Construction (Design and Management) Regulations 2015 (CDM)

## 5 Identifying a contractor

Before confirming a contractor to work on school premises, the school must be satisfied that the contractor is competent to do the job safely.

### 5.1 Assessment and Selection of Contractors

1. Academies which directly engage contractors must ensure they are competent to undertake the work. Contracts should only be awarded following a pre-contract assessment, to ensure that prospective contractors are evaluated on the basis of health and safety criteria in addition to their technical and general competence to carry out the work at a tendered price.
2. Where a contractor proposes to hire a sub-contractor(s) to carry out part of the work, e.g. the erection of scaffolding, those sub-contractors must be assessed by the main contractor. The contractor must supply a list of the sub-contractors to be used to the Academy commissioning the work and be required to confirm that the sub-contractor(s) have been assessed as to their competency; this includes Disclosure and Barring Service (DBS) checks if required. The Academy will reserve the right to exclude any organisation or individual if there are concerns with regard to their competence or safety record.
3. It is important that price is not the only deciding factor in awarding a contract, and proper weight should be given to health and safety considerations. It must also be confirmed that contractors carry the appropriate level of liability insurance (**see Appendix 1**)
4. In the specific circumstances where CHAS approval is not used as the criteria for competence, a sample letter, requesting the contractors to provide health and safety information to demonstrate their ability to manage health and safety, will be sufficient, and a model pro-forma "Assessment Questionnaire for Contractors on Health and Safety at Work", is given at **Appendix 2**. The assessment system may be used in a scaled down version for assessment of contractors being selected to carry out **small contracts**.
5. For small works not subject to a written form of contract the range of questions contained in the pro-forma may be adapted and the letter modified as appropriate to provide some system of pre-qualification appraisal as to a contractor's capability. Alternatively, the Project Manager should ensure that key aspects of health and safety associated with the required work have been discussed with the contractor. A checklist of items which may need to be considered is included as **Appendix 1**.
6. On receipt of health and safety information provided by a contractor, the Project Manager should examine it and if any of its content is considered doubtful further advice must be sought from the Diocese. Where such information is found to be inadequate, this must be regarded as a major reason for not including a contractor on an approved list or giving that contractor the work and details should be recorded on file together with relevant data.

## 5.2 Pre-Start Meetings

The Project Manager should facilitate effective communication and arrange for the exchange of information in order that effective health and safety management can be achieved.

In addition, the Project Manager must ensure that specific information is provided to contractors on site about certain safety critical or high-risk activities and for incorporation in any necessary permit to work system. In these circumstances, compliance with requirements of agreed procedures will need to be included as a condition of any contract.

For small contracts and/or when contractors arrive on the premises to carry out work under a centrally placed contract, a similar meeting will need to be held.

In such cases, the Project Manager, the line manager or the Premises Manager will agree with the contractor the arrangements for safe access and a safe place of work on the premises; including the contractor's response to emergencies. This will include their appropriate and safe interaction with staff, pupils, service users, and others on the premises who may be affected by their conduct and work. The Explanatory Notes given as **Appendix 4** outlines the safe system of work for dealing with these arrangements.

Where existing Academy health and safety procedures are relevant to a contractor, they should be explained.

## 5.3 Risk assessments

Both the Academy and the contractor are required to make a 'suitable and sufficient' assessment of the risks associated with any activities undertaken, and put in place appropriate measures to control these risks.

Contractors will submit copies of site and task specific risk assessments and method statements (also known as RAMS) to the Academy (and Diocese where appropriate), prior to commencing work.

Safety method statements which are bland and simply list the tasks to be carried out are unacceptable and may be indicative of the contractor's lack of competence in such matters.

## 5.4 Safeguarding

Contractors must hold Disclosure and Barring Service (DBS) certificates for work carried out in the vicinity of pupil areas when pupils are on site.

In a situation where multiple operatives employed under the same contractor are on site and not all of them hold a valid DBS certificate, the contractor must appoint a main DBS person to escort around the site the various other operatives.

Where possible, the Academy will aim to effectively manage the risk of potential harm by trying not to leave the contractors unattended whilst on site; the Headteachers, in particular circumstances, might decide to allow contractors on site without a DBS check, especially in case of emergencies (e.g.: lack of electricity).

## 5.5 Identification

In line with established procedures, all contractors must wear a visitor's badge at all times whilst on school grounds except where it will cause a hazard whilst working. In such cases badges must be put back on when moving around the school site. All visitors' badges will be returned at the conclusion of the work.

No contractor will execute work on the school site without the express permission of the Headteacher, other than in an emergency.

Staff members who encounter an unidentifiable visitor will enquire if they require assistance and direct them to reception or off site.

Where there are uncooperative visitors, whether in agreement to work with the school or not, threatening violence, refusing to leave the site or carrying out physical or verbal abuse, immediate help will be sought via a 999 phone call.

## 6 Managing contractors

The Project Manager is the designated contact with contractors except where they delegate this responsibility

(Headteacher or Caretaker). No other staff member may give the contractors instructions without being delegated by the Project Manager or responsible member of staff.

The contractor will provide full and adequate supervision during work and provide the name of the person responsible for site supervision. There will be one point of contact for both the contractor and the Academy.

The contractor will ensure that all agreed work practice is in place. If they utilise sub- contractors, they will ensure they adhere to the agreed work practice and that supervision is provided where necessary.

### **6.1 Contractors are required to:**

- Comply with all relevant health and safety legislation
- Keep noise and dust to a minimum
- Ensure that no products containing asbestos or CFCs are used on school premises
- Be aware of and comply with the school's fire and emergency evacuation procedures
- Evacuate buildings at the sound of fire alarm, report their safe evacuation to the fire marshals and go to the nominated assembly area(s)
- Provide written risk assessments/method statements before work commences
- Work in a safe manner and not endanger staff, pupils, the public or themselves
- Adequately control physical/chemical hazards to prevent risks to school staff/pupils/visitors (trailing leads, solvent fumes, absence of lighting or fire alarm, etc.)
- Avoid obstructing the means of escape or interfering with fire doors. Fire doors must not be propped or wedged open. Blocking of corridors/staircases or other fire escape routes may take place only with the consent of the Academy
- Get prior agreement to break through fire compartments and make good any damage, e.g. when running electrical/data cabling or pipework

### **6.2 Contractors are responsible for:**

- Removing all rubbish/debris at the end of each day
- Testing all works on completion as necessary and supplying the Project Manager with commissioning/test data
- The provision of all necessary protection of floor/wall/door surfaces against damage through works – including the provision of dustsheets etc
- The provision of their own First Aid facilities
- Posting notices to inform staff, students and the public of works being undertaken, as an aid to their safety
- Dressing appropriately for the work being undertaken, including the wearing/use of correct personal protective clothing/equipment at all times

The following activities are prohibited on school grounds:

- Smoking
- Possessing or drinking alcohol
- Playing radios etc when pupils are on site
- Taking, possessing or being under the influence of illegal substances
- Shouting, swearing, over-familiarity with pupils or staff
- Working alone and in isolation unless adequate safety arrangements are provided by the contractor and approved by the school

If any of these requirements are not met, the Headteacher has the authority to stop work. If the Headteacher believes a danger is posed to contractors, staff or pupils, they may stop work.

# Appendix 1: Memorandum for Checking Pre-Contract Documentation

## Compliance with site health and safety regulations

Contractors and/or consultants must be familiar with, and follow, any site health and safety regulations specified by the client.

Any or all of the following subjects may be relevant to the project.

Contractors should ensure by suitable training and communications that their employees and sub-contractors follow these requirements:

1. **Alcohol or drug dependency:** Such substances shall not be taken onto site, and persons shall not be under the influence of, or misuse, such substances
2. **Asbestos:** No work shall be carried out with asbestos, except by asbestos removal companies, licensed by the HSE. Where asbestos is suspected or found the work must stop and the Asbestos Management Plan procedures followed
3. **Banksmen or Signallers:** Should be used on construction sites especially when loading, unloading, reversing, using cranes, construction machinery and for excavations. The operation of reversing delivery vehicles on site must be controlled by a banksman or signaller
4. **Barriers and Guard Rails:** Suitable precautions shall be taken to prevent any person or object falling through or from a working platform, (fragile) roof, floor or stairs or similar by the use of suitable guard rails or barriers or covering or similar. Existing barriers and guard rails shall not be removed. Scaffolding or similar working platforms over 2 metres in height shall have an intermediate guard rail
5. **Behaviour of Contractors' Employees:** Horseplay or fooling about will not be tolerated
6. **Construction Work:** All construction work will be subject to the Construction (Design and Management) Regulations 2015. A project is notifiable if the construction work on a construction site is scheduled to last longer than 30 working days and have more than 20 workers working simultaneously at any point in the project; or exceed 500 person days, shall be formally notified to the HSE
7. **Communication between Project Manager and Contractors Representative:** Prior to commencement of work, contractors must report to the Project Manager, or site-specific person such as headteachers, for permission to commence work, and to agree the safety arrangements on the premises
8. **Confined Spaces:** A Permit to Work and a method statement shall be prepared for all work stages involving personnel entry into confined spaces
9. **Children:** Must be excluded from worksites, unless they are on authorised work experience or vocational training and are accompanied on site
10. **Compliance with Statutory Requirements, Policies and Codes of Practice:** All contractors have a legal responsibility to be aware of, and comply with, all Regulations, Statutory Instruments, Approved Codes of Practice and recognised standards applicable for the type of work for which they are engaged, and must comply with the provisions of any Academy policies provided to them in connection with the work
11. **Cranes, Lifting Gear and Vehicles:** Equipment shall be in good order and have current test and examination reports which shall be available on site for inspection at any time.
12. **Dust and Fumes:** Shall be effectively controlled
13. **Electrical Work and Equipment:** Contractors/consultants shall comply with the Electricity at Work Regulations 1989; safety procedures, and if necessary permits to work, must be agreed with the Academy before electrical work commences
14. **Excavations:** Before any excavation is commenced the Project Manager must be consulted and the presence and location of electrical cables, drains, sewers, pipes, gas and water mains identified. No excavation shall be dug without first notifying the Project Manager. All excavations shall be suitably

marked and protected at all times

15. **Fire precautions:** Before welding, flame or arc cutting of metals, burning of paint, or other processes involving heat or naked lights, are carried out, fire precautions must be agreed with the Academy who will, where necessary, prescribe permits to work. Contractors/consultants shall familiarise both themselves and their employees with the School's fire precautions
16. **First aid and welfare facilities:** These will be provided in strict accordance with the Health and Safety (First Aid) Regulations 1981
17. **Guarding of machinery:** All prime movers, transmission machinery and dangerous parts of machinery will be securely fenced in accordance with statutory requirements, British Standards etc. It is the contractor's duty to ensure this before any plant or machinery is brought on to site by him
18. **Gas Cylinders:** All cylinders shall be secured to prevent them overturning and shall be properly stored taking account of flammable and toxic contents and the proximity to other substances. Any flammable substance shall be taken off site at the end of the working day, unless agreed with the Academy; this is the responsibility of the contractor
19. **Substances Hazardous to Health:** Shall not be used without written COSHH assessments being available on site and appropriate precautions being taken
20. **Highly Flammable Gases, Liquids and Substances:** Shall not be brought onto the School Premises without prior permission. Strictly storage off site and emergency action must be agreed
21. **Housekeeping/ Site Tidiness:** All contractors/consultants are expected to carry out their work for the school in a clean and orderly manner, and to maintain their site accommodation accordingly.
22. **Insurance:** Contractors shall carry Public Liability insurance for claims against them of a minimum of **£5,000,000 cover for each and every claim**
23. **Lifting operations:** Before a contractor carries out any mechanical lifting operation for or on behalf of the Academy he shall produce for inspection by the Premises Manager:
  - a. the appropriate statutory inspection reports/certificates
  - b. documentary evidence that the operator of any crane or lifting machine is trained and competent
  - c. detailed information as to the way in which lifting operations are to be carried out and as to the equipment to be used
  - d. Contractors/consultants must also consult with the Academy management before carrying out any lifting operation with a crane or lifting machine to ensure that the ground or place where the crane or lifting machine is standing is suitable and will withstand the weight imposed on it
24. **Mobile Plant:** Persons operating mobile plant shall be competent and (normally) possess certificates of competence, which shall be available for inspection
25. **Noise:** Noise levels of contractors' equipment should not exceed 80dBA measured 1m from the equipment. If noise levels exceed this standard then an assessment must be made by the contractor as to the risks involved or procedure agreed with the Academy
26. **Overhead Working:** Where there is overhead working on the premises it must be designated as a Hard Hat Area. Suitable precautions shall be taken to prevent persons being injured by substances or plant falling from a work activity above. Barriers and notices must be displayed to enforce the wearing of head protection
27. **Personal protective equipment:** Contractors/consultants must ensure that their employees make full use of such
28. **Pre-agreement as to Safe Working Procedures:** Contractors must submit method statements prior to commencing hazardous work. These method statements must be agreed with the Project Manager before hazardous work can commence
29. **Reporting for work:** Before work starts on occupied premises, contractors shall report to the Site

responsible person (or delegated person) to co-ordinate the work activities

30. **Reporting of accidents, dangerous occurrences, fires, occupational illness, property loss/damage:** In addition to their own procedures contractors/consultants shall report to the Academy any accident to an employee which causes absence from work beyond working shift. Copies of all reports on the form to the HSE made under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) shall be copied to the Premises Manager immediately. The Academy may wish to investigate all accidents involving contractors and expect the co-operation of the contractor and its employees in ascertaining the true cause(s) in an effort to prevent a similar accident
31. **Roofs:** Work at a height must be subject to a risk assessment, and be in accordance with the Work at Height Regulations 2005
32. **Services and operating processes:** Where any work to be done by contractors/consultants is likely to affect any operating process, machinery, or service, the permission of the Project Manager and/or Premises Manager must first be obtained
33. **Smoking:** Contractors must ensure that their employees and employees of their sub- contractors strictly observe no smoking restrictions whilst working on the Trust premises
34. **Traffic Management:** Shall be parked only in designated parking areas and by prior approval

## Appendix 2: Contractor's Health and Safety Questionnaire

The following are all suggestions on what contractors could provide before appointing them, to allow for a better evaluation of their H&S procedures

	REQUIREMENT	ESSENT/ DESIRE	STANDARD
1	<b>Health and Safety Policy</b> For contractors etc., having 5 or more employees	E	Signed by a Senior Director, Chief Executive or Partner, with practical arrangements for putting the policy into practice
2	<b>Competent health and safety assistance and advice</b> Please give the name, initials, title and qualifications of your professional Safety Adviser, Officer, or Consultant	D	Judgement may be required in terms of small companies, a Safety Adviser (in house or external) is desirable
3	<b>Membership of Industrial or Occupational Safety Groups or National Organisations</b>	D	For example, IOSH groups, RoSPA, BSC, CITB etc. membership.
4	<b>Health and safety training</b> Of operatives, directors etc. if any	D	In house or external.
5	<b>Safety Communications</b> Details of methods of communicating safety information	D	Word of mouth/team briefings etc.
9	<b>Investigating accidents/incidents, dangerous occurrences etc</b> Details of procedures	D	Is responsibility for reporting to the HSE clear and accurate?
10	<b>Plant, equipment and vehicle maintenance and inspection</b> Details of procedures, if any	D	Presence of someone named as competent, presence of maintenance records etc.
11	<b>Safe systems of work</b> Examples of appropriate systems developed (e.g. permit-to-work systems, safety procedures, safety manuals, risk assessment and method statements etc.)	E	Depending on the work being carried out, relevant safe systems of work, risk assessment methodology, method statement provided.
14	<b>Subcontractors and/or consultants</b> Assessment of the health and safety performance, management arrangements, competence	E	Is there a competent person within the organisation to monitor sub-contractors?
18	<b>Relevant experience in the field of work</b> Client statements, recommendations etc	E	Sample of recently completed projects

## Appendix 3: Explanatory Notes

### Safe System of Work for the Safe Management of Contractors

These notes outline the arrangements for the local management of approved contractors.

It covers all work by contractors (e.g. capital work, maintenance) under any type of “contract” (e.g. term contracts, formal contracts, local orders).

- Contractors must make prior arrangements and appointments before arriving (at the premises) to carry out the work. The premises responsible person can refuse access if the work is not convenient at the time and/or would conflict with operational requirements
- Contractors must report to the premises responsible person or their representative on arrival and have with them the appropriate authority to work
- The contractor’s credentials must be confirmed and their details of attendance recorded (e.g. sign in and out of the Visitors Book)
- Contractors must record their name and address in a Visitors Book (or equivalent), including Time In and Time Out, and where appropriate be issued with a Visitors Badge. This must also be done whenever they temporarily leave the premises, e.g. to collect materials, or return next day
- The Site responsible person or their representative must be contacted before entry is granted and/or work commences. Controllers of Premises must ensure that there is always a substitute during their absence from the premises (e.g. at another location, leave, sickness); who is acquainted with the location of all relevant contract documentation (e.g. method statement) and any asbestos survey database records
- The site responsible person will instruct the contractor regarding domestic and general safety arrangements, emergency evacuation procedures, welfare facilities, etc; and provide access to any Health and Safety File where available
- The site responsible person must explain (orally and where available by means of a standard handout/leaflet) the relevant fire safety, first aid, washing and toilet arrangements etc; together with any restrictions on the contractor’s access around the premises (e.g. in the vicinity of service users, pupils). Any Health and Safety File (under the CDM Regulations) or similar, must be provided to the contractor for reference
- Contractors must discuss their proposed method of work with the premises responsible person, and agree any specific precautions required considering any safety-critical hazards/ risks associated with the premises or work activities. (Note: Special agreed methods of work will be required for work with or in the vicinity of asbestos – see Trust Asbestos Management Plan). Consideration must also be given to any operational or service provision arrangements which may be affected by the work
- The site responsible person must provide the contractor with relevant health and safety information about the premises and discuss and agree the appropriate method of work with the contractor (Note: If clarification is required, the Site responsible person should contact a more senior manager)
- Site responsible person must be familiar with any Health and Safety File or Log Book for their premises, and make contractors aware of any asbestos survey database records and details of any presumed or known asbestos-containing materials (ACMs)
- If it is discovered by the contractor or the premises responsible person that any work which is likely to disturb the fabric of the building is proposed to be carried out, the premises responsible person must contact the Project Manager to agree the work and/or to arrange for an asbestos survey to be carried out prior to any work commencing

- If there is any inadvertent damage, and/or resultant exposure, to asbestos (fibres) the work must stop immediately and the appropriate remedial action described in the Trust Policy on Asbestos implemented
- When the work is completed, the contractor must report to the Site responsible person who will arrange for a visual safety clearance check to confirm that the work area is safe
- If the work is only partially completed, the contractor must agree with the site responsible person that it is left in a safe condition and will not adversely impinge on the normal activities on the premises
- Before leaving, the contractor must report to reception and sign out