



Control and Management of Contractors on Site Policy

This is a Trust-Wide Policy
which applies to all the schools within the Trust

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Control and Management of Contractors on Site Policy

The vision of Bright Futures Educational Trust is to create a world class education to enable every young person to reach their full potential, and in particular, their full academic potential. In order to ensure fairness, transparency and appropriate use of public funds; as well as compliance with national standards, this policy details the Trust's approach to controlling and managing contractors and associated costs on the Trust's premises.

What is the Policy for?

The purpose of this policy is to ensure that contractual arrangements comply with National and Trust policies and procedures and within legislation. It shall ensure all parties fulfil their legal duties as well as contractual obligations.

The Trust owes a duty of care under the Health and Safety at Work etc. Act 1974 to its employees or others who may be put at risk by its premises or activities, including contractors undertaking work on its premises. This policy sets out how the trust and associated schools will manage contractors whilst they are working on its premises.

For the purposes of this policy, a contractor is defined as a person/company who are under contract to provide materials or labour to perform a service or to do a job. This definition does not include temporary contracted office workers involved with office activities.

Who is the Policy for?

The Policy applies to all staff employed by the educational establishments which form part of Bright Futures Educational Trust (BFET), as well as members of the Local Governing Bodies of those establishments, Trust Head Office staff, Members and Directors and any consultants undertaking work on behalf of the Trust. However, it will be most applicable for Facilities and Estate Services teams and individuals who will require the engagement of contractors from time to time. This policy will cater for all types of contractor and therefore all responsible persons engaging contractors are required to follow this policy.

POLICY STANDARDS

General Principles

1. The Trust acknowledges and accepts its statutory responsibilities to ensure, so far as is reasonably practicable, the health, safety and welfare for all who are employed or contracted to work within any trust premise.

There can be a number of different types of contractor:

- short term one off, employed for a particular task
 - short term repetitive, employed for a recurring task
 - medium term, such as to carry out a small refurbishment or maintenance task
 - long term, continuing function.
2. The following provides examples of the type of work that is covered:
 - non trust employees working on buildings, plant or equipment
 - service or maintenance engineers working on school equipment.

- support services suppliers such as cleaning and catering, security, portering and waste disposal through to technical works such as electrical or building repairs
3. Apart from the potential financial and legal penalties for failing to plan and manage contractors work, poor management of contractors is likely to expose people and property to unacceptable risks. Almost certainly, poor planning and management will increase costs, cause delays and/or disruption of services as well as increase the likelihood of accidents or ill health.
 4. This policy gives guidance on how to manage and control contractors in relation to services provided on Trust premises.

5. The Law Impacting Upon the Use Of Contractors

As it is considered nationally that building works and in particular, maintenance within occupied premises, can be the more hazardous work activities, this policy regularly refers to construction and related activities. However, the principles outlined within this policy can equally apply to other situations where contractors or suppliers are appointed on behalf of the Trust and Academies.

Principal legislation likely to impact upon the procurement of works (construction or otherwise), goods or services may include at least the following legislation and other forms of guidance which are being constantly revised and added to:

- The Health and Safety At Work Act 1974
- The Management Of Health And Safety At Work Regulations 1999
- Occupiers Liability Acts 1957 and 1984
- Construction Design and Management Regulations 2007, amended 2015
- The Control of Asbestos at Work Regulations 1987 as amended
- The Pressure Systems Safety Regulations 2000
- The Noise At Work Regulations 1989
- The Electricity At Work Regulations 1989
- The Workplace (Health, Safety and Welfare) Regulations 1992
- The Provision And Use Of Work Equipment Regulations 1998
- The Lifting Operations & Lifting Equipment Regulations 1998
- The Construction (Health Safety And Welfare) Regulations 1996
- The Construction (Design And Management) Regulations 1994 as amended
- Confined Spaces Regulations 1997
- The Control Of Substances Hazardous To Health Regulations 1999
- The Highly Flammable Liquids And Petroleum Gases Regulations 1972
- The Manual Handling Operations Regulations 1992
- The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1996
- The Personal Protective Equipment Regulations 1992
- The Gas Safety (installation and Use) Regulations 1998
- The Occupiers' Liability Acts 1957 & 1984

- The Fire Precautions Act 1971
- The Fire Precautions (Workplace) Regulations 1997 & 1999
- The Safety Representatives and Safety Committees Regulations 1977
- The Health and Safety (Consultation with Employees) Regulations 1996

Although not strictly health and safety legislation, the following may be added:

- The Water Supply (Water Fittings) Regulations 1999
- The Building Regulations 2000 made under the Building Act 1984

In many instances, as is the case for Legionnaires Disease under the Control of Substances Hazardous to Health Regulations, compliance and understanding of legislation is aided by the provision of Guidance and/or Approved Codes of Practice (ACoP's). To this list could be added by numerous British Standards including:

- BS 6262 : 1982 Code Of practice for Glazing in Buildings
- BS 7671 : 1992 Requirements For Electrical Installations
- BS 5839-1: 1988 Fire detection and alarm systems for buildings
- BS 5266-1: 1999 Emergency Lighting

Finally, as the bringing of contractors on to our premises itself gives rise to risks, principals and managers are reminded of their duty to provide staff and Trade Union Health & Safety Representatives with relevant information and to consult on health and safety issues arising from the contract works.

Specific Standards

1. Roles and Responsibilities

The Chief Executive Officer has overall responsibility for Health and Safety within Bright Futures Educational Trust.

The Board of Directors hold specific responsibilities throughout the Trust and assist in ensuring that the policy is implemented as appropriate and are responsible for:

- Ensuring that schools comply with health and safety legislation
- Ensuring that the policy and its procedures are implemented accordingly

The Chair of Governors/Principal/Head of School is responsible for:

- Implementing the policy and its related procedures
- Making appropriate staff aware of their responsibilities and providing training as appropriate to enable them to effectively deliver this policy
- Ensuring that staff understand their duties regarding the use of contractors on site

Staff are responsible for:

- Enacting this policy, its commitments and procedures, and their responsibilities associated with this policy
- Attending such training and information opportunities as necessary to enact this policy and Keeping up to date with health and safety law and legislation

The Head of Facilities and Estates is responsible for:

The Trust's Head of Facilities and Estates will, with the Facilities Manager (FM) at each Bright Futures Educational Trust sites, ensure compliance with this policy and its' associated procedures at all times. Each Facility Manager will report directly to the Head of Facilities and Estates in relation to all aspects of estate management, including such areas as, cleaning, catering, security, waste management, electrical, maintenance and small and large scale building and construction works.

The Facilities Manager (FM) is responsible for:

The Facility Manager at each establishment within the Trust must ensure that contractors are competent to carry out the works specified and where possible, will utilise certified or accredited contractors /organisations. Throughout the contract period the FM will monitor the standard of the contractor's work and the progress made.

Facility Managers are also advised that health and safety is not the only aspect of procurement to be addressed. This trust requires managers to verify the financial status of companies including other aspects such as insurance cover, waste disposal/carriers licences etc. Managers are further required to fully comply with trust procurement policy

It is also the duty of the Facility Manager to ensure that all relevant safety measures are taken not only to protect the contractors but all persons who may come into contact with the Trust and its' undertakings. The Trust has a duty to ensure that these work activities do not alter the conditions or impede the provision of a safe place of work for staff, pupils and visitors.

The health and safety needs of any contract must be assessed. Resources such as additional training, equipment and in some cases staffing will be provided as required. Any equipment provided to contractors must be managed appropriately.

Some contractors will have duties under The Construction (Design and Management) Regulations 2015 (CDM Regulations) and in some cases works will require more than one contractor at a time to be working in the same area or on the same premises. It is vital that the parties share relevant information under the statutory requirements of the CDM regulations.

To achieve this the Facility Manager must co-ordinate contractor activities and provide adequate information regarding health and safety issues on the premises. Specifically he/she should undertake a risk assessment and set out suitable control measures in order to manage any significant risk. The provision of this information will enable the contractor/s to plan for costs etc.

It is the duty of the Facility Manager to provide every contractor with information on emergency procedures relevant to the premises and provide details of particular hazards in the area (This may include Control of Substances Hazardous to Health – CoSHH assessments) for example, gases, chemicals or biological hazards. **Refer to Appendix 1 – Contractor Induction Pack**

The Trust will set out standards for working in high risk areas. Information on specialist hazards such as Asbestos, contaminated land or high risk activities must be supplied by the Facility Manager. In some cases work in these areas will require a permit to work. (Refer to PTW section)

Contractors are responsible for:

Contractors have a duty to supply a safe place of work to their staff. It is equally the contractor's responsibility to obtain relevant health and safety related information from Bright Futures Educational Trust as it is for the FM to inform them. Once this information has been obtained by the contractor they must then develop safe systems of work relevant to the premises and work

activities. The Facility Manager should be made aware of the impact of the systems of work on the health and safety and normal systems of work within the area in which work is being carried out.

The contractors must ensure that work carried out does not compromise the health, safety or welfare of others. For example, Bright Futures Educational Trust staff, pupils, visitors or passer's by (the general public).

It is the contractor's responsibility to make their own provisions for first aid. (This includes trained/competent first aiders and equipment.)

Sub-Contractors are responsible for:

Sub-contractors have the same responsibilities as contractors. The sub-contractors may use equipment provided by the contractor and may be working under the supervision of the contractor.

Contractor Engagement

All contract works to buildings, services and infrastructure across the trust schools must be communicated and agreed by the Trust Facilities and Estates Team. School leaders must not start up their own contract procurement process.

Those persons that then engage contractors, such as the Facilities and Estates Team shall be responsible for ensuring that:

- All applications to undertake works are considered by a suitably competent person (someone who has sufficient training and experience or knowledge and other qualities that allow them to assist. The level of competence required will depend on the complexity of the situation and the particular help required).
- Details are asked to be provided by the main contractor of any sub-contractor who is engaged to undertake work on the contractor's behalf.
- Mechanisms are established to ensure that all applications to undertake works at the schools are considered in a timely manner.
- Agreed works are designed by competent persons.
- Agreed works are managed by suitably competent people in accordance with relevant policies and procedures.
- Arrangements are available to ensure that all contractors are visibly identifiable when working on school premises e.g. wearing of an identity badge issued by school
- Sufficient competent persons are appointed to ensure that works can be properly managed on behalf of the Trust.
- Appropriate induction training (including refresher training where appropriate) is available for contractors
- Appropriate access and security arrangements are in place

- Arrangements are in place to review risk assessments, method statements and safe systems of work before work commences, and monitoring of practices takes place during contracted works.
- Arrangements are in place to ensure sufficient communications with those that may be affected by the works undertaken.
- Any contractor-related incidents, including near misses, reportable accidents, diseases and dangerous occurrences are reported and that appropriate actions taken to prevent a recurrence, so far as is reasonably practicable (refer to section 6).

HSE Notifiable Projects

Under the Construction Design and Management Regulations 2007 amended 2015 and in relation to HSE notifiable projects, the Facilities and Estates Team must ensure so far as is reasonably practicable that:

- a) Relevant appointments have been made and that those appointed are competent to undertake their duties.
- b) Where in place, project boards are advised of the suitability of all appointments and the necessary resources and time required to plan and deliver notifiable construction related projects.

Where any duties relevant to notifiable projects cannot be met, for whatever reason, the project/work is halted and reported to the relevant project board (where in place).

Permits to Work (PTW)

The school management procedures must ensure that a contractor obtains a Permit to Work for either the isolation or 5 days prior to interruption of any systems, services or specific hazardous activities and must ensure the school facilities manager is aware of the PTW

Where isolation PTW is required there must be sufficient consultation, exchange of information and planning between all parties concerned to the work commencing (particular in term time) in order to facilitate the PTW process and minimise disruption to the building and its occupants A PTW will only be issued if the appropriate control measures, identified by risk assessments, are put in place.

An Isolation PTW is required, for work on, or affecting, the following systems:

- Electrical Services
- Mechanical Services
- Lifts
- Fire Alarm Systems
- Water Supplies
- Building Management Systems

A “Hazardous Activities” PTW is required for and be issued before access can be granted and works commence, the areas are;

- Access to Roof
- Energy Centres
- Swimming Pool
- Confined Spaces (Under Floor Ducting Area)
- Asbestos
- Hot works
- Excavation and trench work

Contractor Induction Packs

Contractors who work on the site should be made aware of any of the known hazards before they commence and all schools within the trust should provide a **Contractor Induction Pack (refer to Appendix 2)** at the main reception to enable the contractor to read the key information regarding the school building and its procedures and sign to confirm his understanding before works commences

Procedure for Managing Contractors

Purpose of Procedure

The purpose of this procedure is to provide information on the way in which both staff and contractors must work in order to prevent incidents and accidents related to contractor's work activities.

All Facilities Managers and contractors must follow this procedure, however, it does not remove the legal obligations placed upon the contractor(s).

Requirements

The FM has a duty to follow Trust procedure to ensure, so far as is reasonably practicable, the Health, Safety and Welfare of anyone whom may come into contact with these work activities.

Before the work commences the FM must inform departments affected by the contractor's work in reasonable time, so that any areas affected by the works can plan for the disruption to normal routines etc.

Before works /activities commence it is essential that adequate information is given to the contractor regarding risk identification. This will require formal risk assessment in most cases.

Suitable and sufficient risk assessment must be carried out by the FM before contractors begin their work.

Security

The FM must ensure relevant security procedures are enforced. This will require informing the contractors of their access routes throughout the site, information regarding confidentiality and high-risk areas.

Safeguarding

Safeguarding of the Trusts pupils is very important and all contractors must adhere to the local policies and procedures in relation to safeguarding and issued with the school's safeguarding leaflet.

The aim of the safeguarding measures for the academy and contractor will be to manage the risk of harm to pupils and vulnerable adults. The measures adopted shall be proportionate to the risk.

Safeguarding measures to be considered **at the planning stage** will include any or all of the following depending on the outcomes identified by the school in their risk assessment:

- ✓ **Segregate**
To avoid contact* between contractors and pupils as far as possible
- ✓ **Supervise**
To supervise any contact* that does take place with a member of staff or a suitably vetted volunteer
- ✓ **Code of conduct**
To require contractors to observe a code of conduct
- ✓ **Regulate Access**
To regulate access to the premises
- ✓ **Checks**
To undertake checks where appropriate.

The contractor must ensure that the relevant safeguarding requirements are met at all times, including, but not limited to; **enhanced DBS checks**, being completed on proposed staff and must adhere to the School's safe guarding policy at all times. The Academies reserve the right to request copies of this data should it be required.

On small emergency works or unplanned works any staff without an enhanced DBS check **MUST** be accompanied at all times whilst schools are open to pupils.

The facility manager will ensure that all contractors who visit the site regular their enhanced DBS number and details are recorded and updated regular on the academy single central register

NOTE - Contractors must sign in using the contractor induction pack and install their Enhanced DBS number as part of the induction process

Emergency Planning

The FM must inform the contractor of the emergency planning arrangements, for example, Evacuation Procedures. This will include the relevant internal phone numbers.

The FM must show the Contractors and their employees on arrival at the work site, the following basic fire safety measures:

- 1) The closest fire escape
- 2) The location type and method of operation of the nearest fire-fighting appliance.
- 3) The location of the nearest fire alarm and the method of activation.

4) The tone of the fire alarm and what to do on activation.

Contractors are responsible for the provision of suitable and sufficient fire-fighting equipment appropriate to the work involved and must obey alarm signals whilst on Trust premises. Smoking is prohibited in all areas of Bright Futures Educational Trust sites and contract staff are required to comply with this.

Contractor Insurance Policies

Although not strictly a health and safety issue, you should seek evidence of the contractor's current and relevant insurance policies as well as their waste disposal/waste carrier's licences.

Welfare Arrangements

Canteen and washroom facilities may be made available to use by Contractors, or Sub-Contractors, as defined by the FM or other suitable persons. The conditions for the use of such facilities are that they are used only during the time specified by the Trust. The Contractor or Sub-Contractor should be suitably dressed and observe normal standards of hygiene when using canteen facilities.

Contractors Requirements

Contractors have a duty to work safely and manage the safety of their staff. The work activities must not, so far as is reasonably practicable, effect the Health, Safety and Welfare of anyone who come into contact with them or their activities.

Before Works Commence

On large contracts it is the responsibility of the contractor to appoint a supervisor, competent in the field, who must receive direct instruction from the FM and feed this information back to his /her staff. If a permit to work is required, the contractors will not begin works of any kind without the permit being issued first.

Suitable Staff Allocation by Contractors

Due to the nature of the work undertaken at Bright Futures Educational Trust sites, all contract personnel must be suitable to work on the site. Contractors are likely to come into contact with members of the public, staff and pupils; some of these pupils may be vulnerable. For this reason, any contractor who may be in close contact with these people must have undergone the relevant clearances.

Accident /Incident Reporting

The contractor must report all accidents and near misses to the FM or to the Head of Facilities and Estates for the Trust. Contractors will assist the contractor in filling in relevant incident report forms. They may wish to also report using their own system. If an incident /accident requires a RIDDOR report and follow up investigation, it is essential that this is carried out by the contractor in accordance to relevant HSE Legislation. This needs to be forwarded to the FM and the Head of Facilities and Estates for reference.

Occupied premises

Where the Trust premises are occupied, the Contractor or Sub-Contractor must ensure that all works carried out in such a manner as to cause minimum disruption to daily business.

Delivery, Unloading and Hoisting of Materials

The Contractor or Sub-Contractor is responsible for the delivery, unloading, hoisting and storage of all their own materials. At no time should these works impede or make dangerous, normal access to areas outside the immediate vicinity of the works.

Electricity

All electrical equipment on site to be used in a safe and approved manner in accordance with current Electricity at Work Regulations. All portable electric tools shall operate at 110 volt A.C. from a double wound transformer having a centre tapped earth on 110 volt winding. All portable appliances brought onto site must have been tested and be within the validity period. The FM may require records of this testing.

Water Supply

A water supply will generally be made available as designated by the FM or other suitable person. Contractors should restrict themselves to this supply and must ensure that the area is kept free of rubbish. The tap is to be kept fully closed after use. The use of fire hoses and/or fire extinguishers, except in emergencies, is prohibited.

Housekeeping

All Contractors must ensure that rubbish or excess equipment and materials is not allowed to accumulate in the immediate work area, and in no circumstances is material for disposal to be stored outside the working area unless in the Contractor's, or Sub-Contractor's own authorised skip. All surplus materials and /or rubbish should be cleared from the site on completion of the contract.

- Burning of rubbish on the Trust sites is prohibited.
- Excessive dust build up is to be avoided.
- Suitable dust control mats are to be used where the works area is immediately adjacent to a clinical area.
- Good housekeeping is to be maintained at all times.

Control of pollution

Contractors may not deposit any waste, chemicals or any other substances whatever into drains or waste containers on Trust premises unless express permission has been given by the FM or representative.

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

Mobile Phones

Mobile phones are to be turned off in areas that display the No Mobiles signs.

Specific Hazardous Work Activities

Some contractors may be employed by Bright Futures Educational Trust to carry out a specific Hazardous activity, some of which are explained below. If the activity in question is not contained within the text of the procedure the FM will be required to carry out relevant risk assessment.

Working at Height

Scaffolding will be erected only by competent persons who will carry out statutory inspections and maintain records of inspections. Contractors must erect suitable scaffolding with guardrails, toe boards and the tower must be fully boarded. Scaffolding must be erecting in line with relevant manufacturer standards and HSE legislation. This will include The Construction Design and Management Regulations (CDM).

Contractors should not carry out roof works without authorisation and the issue of a Permit to Work were applicable. Relevant Personal Protective Equipment must be worn, for example, harnesses, hardhats and appropriate foot wear.

Over Head Works

No work is permitted to take place over the heads of Bright Futures Educational Trust staff unless this is agreed with the FM and provided suitable and sufficient risk assessment has been carried out.

Road Safety

All road works throughout the site must be agreed with the Trust. Any excavations, storage and skips must be guarded using appropriate signs, rails, traffic cones and lights etc. All works must consider Local Planning Authority guidelines.

Personal Protective Equipment (PPE)

The Contractor is responsible for providing the personal protective equipment for his employees that is necessary for the work in hand. PPE must also comply with the statutory requirements or equivalent guidance appropriate to the circumstances.

Hazardous Substances /Areas

Contractors must not bring hazardous substances (CoSHH specific substances) onto the site without informing the FM. The substance may only be utilised once the appropriate documentation, for example, Material Safety Data Sheets (MSDS) and relevant CoSHH assessments have been presented.

Contractors are not permitted to enter specific hazardous areas, for example, science laboratories, machine workshops, without the permission from the FM and relevant information, instruction and training has been given.

Confined Spaces

Contractors may not enter any confined space where there may be dangerous fumes or lack of oxygen, without the express permission of the FM. If permission has been given, work in such places must be carried out in compliance with the permit to work system, following the methods and taking the precautions detailed in the relevant HSE guidance.

Asbestos

Work involving asbestos and /or asbestos-bearing materials is strictly controlled by legislation and the Trust's policy and arrangements on the subject. If, during the course of a contract the work is likely to involve disturbing asbestos in such a way as to give rise to dust the Contractor must cease work, withdraw his employees from the area and report immediately to the FM or his representative. Only contractors that are licensed by the Health and Safety Executive are permitted to work with asbestos.

Contractors Working in Security Roles

Contractors involved in security roles must ensure that they have received relevant training for the role. They should also follow Trust procedure when managing aggression and any statutory requirements must be complied with.

School Code of Conduct – For Contractors

A code of conduct should be used to inform all contractors (both vetted and non-vetted) what might be considered inappropriate behaviour. It will enable any inappropriate behaviour to be recognized and challenged by all concerned.

A suggested code of conduct for contractors would be:

- a) Work safely and responsibly and be aware of responsibility for own actions and behaviour.
- b) Avoid any conduct which would lead any reasonable person to question their motivation and intentions.
- c) It is the responsibility of all adults to safeguard and promote the welfare of children and young people.
- d) Avoid contact with children. Never give your personal contact details to children or young people, including mobile telephone number
- e) Work and be seen to work, in an open and transparent way.
- f) Never be in contact with children without school supervision
- g) Stay within the agreed work area and access routes
- h) Obtain permission if you need to go outside the agreed work area or access routes.
- i) Keep staff informed of where you are and what you are doing
- j) Do not use profane or inappropriate language
- k) Dress appropriately i.e. dress in a way that:
 - Is unlikely to be viewed as offensive, revealing, or sexually provocative.
 - Does not distract, cause embarrassment or give rise to misunderstanding
 - Is absent of any political or otherwise contentious slogans
 - Is not considered to be discriminatory and is culturally sensitive
- l) Observe the code at all times

To ensure the effectiveness of any code shall be Issued to all contractors direct by the school/educational establishment when they first attend and before any work has commenced.

Definitions and Acronyms

“Contractor” means an individual, company or organisation engaged by the Trust (other than an employee) to carry out work for gain or reward.

“Sub-contractors” are individuals, companies or organisations employed to undertake works, for gain or reward, by the contractor.

“All Contractors” are both Contractors and Subcontractors

“Responsible Person/Competent Person” individuals who hold relevant qualifications, experience and training in order to carry out specified tasks.

“HSE” The Health and Safety executive

“HASWA” The Health and Safety at Work etc Act 1974

“DSE” Display screen Equipment Regulations

“COSHH” Control of Substances Hazardous to Health

“CDM” Construction, Design and Management Regulations

“PPE” Personal Protective Equipment

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Contractor Management Flowchart

