

**Ynys Mon County Council**

**Health & Safety Management of Contract Work  
within the Authority Corporate Policy**

**Version 2.0 September 2018**

**About this policy**

This policy outline the measures the council will take to manage contract work carried out on behalf of the Council.

The Policy is supported by resources on the Council's website.

## Revision history

Version	Date	Summary of changes
2.0	October 2018	Policy has been made more concise. Main duties are the same as in Legislation. Services employing Contractors must have a designated Officer to oversee the contract. Services should ensure contact is monitored and reviewed. Services should consult Corporate Procurement policies and procedures. Services to consider Health, Safety and Welfare with regard to contracts in Service Health and Safety Action Plans
	August 2019	No change
	January 2021	No change

Date of next review	
This policy will be reviewed in:	June 2021
The review will be undertaken by:	Corporate Health and Safety

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We are happy to provide this policy in alternative formats on request. Please use the above contact details.

Mae'r ddogfen yma ar gael yn y Gymraeg.

This document is available in Welsh.

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## **1.0 Background**

Ynys Mon County Council recognises and accepts its responsibility for providing, so far as is reasonably practicable, workplaces and systems of work that are safe and without risks to health, in accordance with the Health and Safety at Work etc Act 1974, and other relevant statutory provisions.

Employers have a general duty under section 3 of the above act to ensure the health and safety of people who may be affected by work activities but who are not employees.

Section 4 of the Act requires persons in control of places where premises, plant and substances are available for use by non-employees to ensure, so far as is reasonably practicable, that there are no risks to the health and safety of these individuals. (The term non-employee should be considered to include contractors and sub-contractors working on the employer's sites and premises).

There are also explicit duties in respect of risk assessment and reduction under the Management of Health and Safety at Work Regulations 2002 as amended which are relevant to the management of contract work.

Where a contract is for construction or demolition work as defined by, and falling within the parameters of, the Construction (Design and Management) Regulations 2015 then that legislation will apply.

It can be perceived that managing contractors is limited to construction work. This is not the case it encompasses any works that are contracted out such as maintenance, cleaning, driving, care services, home tuition, consultancy work or any service that has been instructed or has been contracted for with another party.

Legislation and case law dictates that the Council has a responsibility for the management of external and internal contracts and to that end the council must develop specific operational procedures and set standards for this activity to be regularly monitored for their effectiveness.

## **2.0 Responsibilities**

Ynys Mon County Council as a Local Authority employer, through its Elected Members is responsible for compliance with the Health and Safety at Work etc Act 1974 and associated legislation. Individuals also have certain legal responsibilities.

These responsibilities are discharged at Ynys Mon County Council as follows.

**Chief Executive and Senior Leadership Team will be responsible for ensuring:**

- the development, implementation and monitoring of the Management of Contractors Policy including regular reviews across all Services to ensure consistency of approach
- the establishment of a contractor assessment and monitoring programme across the Council
- the allocation of suitable and sufficient resources to implement and maintain this policy within agreed service delivery and capital programmes.

**Heads of Service will be responsible for ensuring:**

- the implementation of the Management of Contractors Policy and that all employees are familiar with the contents of the policy insofar as it is relevant to their role and responsibilities
- the implementation of the policy within the Service and provision of training/awareness sessions for employees with responsibilities under this policy
- for each of the above, where applicable, a designated officer will be nominated to ensure adequate arrangements are implemented
- that designated officers are competent to undertake this role.

**School Governing Bodies will be responsible for ensuring:**

- the implementation of the Management of Contractors Policy and that all employees are familiar with the contents of the Policy insofar as it is relevant to their role and responsibilities
- the implementation of the policy within the school and the provision of training/awareness sessions for employees with responsibilities under this policy
- that each premise has a designated officer to manage all contractors which are the responsibility of and appointed by the School Governing Body, in line with the Council's policy and management procedures and delegate responsibility to that person
- that the designated officer received suitable and sufficient training to undertake this role.

**Building Managers/ Head teachers as identified by the Client Service are responsible for:**

- complying with reporting procedures within each Service before work is commenced
- implementing the Management of Contractors Policy and the Management Arrangements in the building for which they are responsible
- ensuring, before any work is started on the premises, that the Asbestos Register has been consulted. Information must be provided to contractors on any Asbestos Containing Materials within the vicinity of their work area, the proper authorisation issued and management arrangements followed
- ensuring that an initial risk assessment is completed for the works required covering the generic activities on site as well as developing a more specific risk

assessment when the extent of the works have been determined and the contractor has been appointed

- liaising with the contractor, and any other persons, to ensure that any local health and safety considerations are communicated
- health and safety monitoring of the contract works is undertaken
- reporting perceived breaches of health and safety to the contractor, relevant Head of Service and Corporate Health and Safety Team. In serious cases, works must be stopped until the situation is resolved.

**Commissioning Officer (Designated Officer as above) is the person who instructs the contractor, caretaker or consultant to carry out planned and agreed work. The Commissioning Officer is responsible for:**

- complying with reporting procedures within each Service before work is commenced
- implementing the Management of Contractors Policy and the Management Arrangements in the building for which they are responsible
- ensuring, before any work is started on the premises, that the Asbestos Register has been consulted. Information must be provided to contractors on any Asbestos Containing Materials within the vicinity of their work area, the proper authorisation issued and management arrangements followed
- liaising with the contractor, and any other persons, to ensure that any local health and safety considerations are communicated
- health and safety monitoring of the contract works is undertaken
- reporting perceived breaches of health and safety to the contractor, relevant Head of Service, Corporate Health and Safety Team and Service Health and Safety Officer where applicable. In serious cases, works must be stopped until the situation is resolved.

### **All Other Employees**

Any person directly employed by Ynys Mon County Council including members of the Council will be for Health and Safety purposes responsible for:

- Reporting to their Manager or Supervisor any perceived unsafe practices on site.
- Advising the Corporate H&S Team or Service H&S Officer, where appropriate, of concerns.

## **3.0 Arrangements**

### **Selection Process**

Suitable contractors will be selected to carry out work. The description of suitable should include competent and sufficiently resourced to carry out the work required.

Corporate Procurement should be included in the selection process and any relevant policies or procedures developed by Corporate Procurement must be considered as part of the selection process.

### **Risk Assessments / Method Statements**

Risk assessments and method statements or similar, defining the arrangements for safe working must be provided prior to authorising commencement of work. These documents will be reviewed by the commissioning officer to assess the expected Health and Safety standards to be achieved.

### **Competence**

The Contractor will demonstrate competence of staff employed by the contractor by providing on request training records relevant to the work to be performed.

The Contractor has 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.

Where possible the Contractor should be independently assessed for competence possibly by a trade association or professional body.

### **Accidents / Incidents**

The Contractor must report all accidents and near misses to the Commissioning Officer or to the Corporate Health and Safety Team.

If an Accident / Incident 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 Commissioning Officer and the Corporate Health and Safety Team.

### **Cooperate and Coordinate**

Induction for contractors will be provided by the Commissioning Officer and must include as a minimum include Council's procedures, rules, hazards and risks. The information should be provided at regular intervals even regular contractors may need reminding of the Council's procedures, rules, hazards and risks.

Where work integrates or overlaps with Council operations regular meetings should be held to ensure there is Cooperation and Coordination of work to ensure the risk from one operation do not significantly impact on another and compliance with the Council's procedures, rules.

### **Monitoring and Review**

Before works commence, the commissioning Officer shall ensure relevant parties (contractor, direct employees, the Council's clients) are aware of the commencement of work and the arrangements in place to fulfil the contract work.

The commissioning officer for the Service requiring the contract work, will monitor and review the work undertaken by the Contractor. The Service will identify set periods to undertake the monitoring.

Monitoring will consider the Health and Safety standards achieved by the contractor including the welfare of the contractor staff.

At the conclusion of each contract (or periodically such as annually for renewable long term contracts) the commissioning Officer shall compile a short report with regard to the performance, which is to be considered by Officers when letting future contracts.

The monitoring and review of contractors should be included in the annual Health and Safety Action plan for each Service.

### **Further Information**

For further information contact the Corporate Health and Safety Team on 01248 752820