

THE MANAGEMENT OF CONTRACTORS POLICY

1. Policy

Both clients and contractors have duties under health and safety law to protect each other, their workforces and anyone else who may be affected by the work activities being undertaken, including members of the public.

Who are contractors?

The term 'contractor' includes self-employed people and any person who carries on a trade, business or other undertaking, whether for profit or not. In effect this wide definition covers any person or company of any size who provides a service to LHC whether that is a self-employed cleaner or a major service provider carrying out building or grounds maintenance. Similarly all external consultants, for example, training providers and insurance brokers and the like, are contractors, therefore, the criteria for selection and subsequent management requirements apply to these circumstances as well.

The contractor may introduce new health and safety hazards into our premises that could present risks to staff, tenants and visitors or perhaps there are risks within the premises itself that might cause harm to the contractor. It is for these reasons contractors must be competent, managed and appropriately monitored with the risks relating to both parties effectively controlled.

Loddon Homes Ltd and Berry Brook Homes Ltd, herein referred to as the Local Housing Companies (LHC), place great importance on selecting the right contractor for the job and are committed to working closely with our contractors and managing agent to effectively co-ordinate, communicate and co-operate to ensure work is carried out in a safe manner for the protection of all concerned.

LHC will pay full regard to the requirements of the Regulations, which include health and safety, when procuring goods or services on behalf of the LHC. Where this is done through the LHC appointed managing agent/maintenance and repair contractor LHC will regularly monitor and review compliance to ensure legal obligations are collectively fulfilled.

A health and safety pre-qualification questionnaire template for potential contractors/suppliers is available and can be customised to suit the circumstances.

Construction Projects

LHC recognise the major influence a client has over health and safety in the way a project is procured and managed and, as such, health and safety is at the heart of every company-commissioned project, from the early planning stage to the end of a project and beyond. Health

and safety is also a key component of our contractor procurement process and is included within the pre-qualification stage of this process. The first part of this document covers the principles applied to the management of contractors on our premises; the second part outlines the requirements of the Construction (Design and Management) Regulations 2015.

2. Managing contractors – the key principles

Identify the job: At an early stage, the health and safety implications will be considered and assessed, and decisions made on how co-operation and co-ordination between both parties will be achieved.

Select a suitable contractor: To be satisfied that the contractor has sufficient skills, knowledge and resources to do the job safely; the degree of competence required will be dependent on the work. The following are examples of the types of enquiries we make of potential contractors:

- Experience in the type of work to be done.
- Qualifications and skills.
- What their health and safety policies and practices are.
- Recent health and safety performance, for example, accidents, enforcement action etc.
- The health and safety training and supervision they provide to workers.
- If they are members of a relevant trade or professional body.
- If they have a recognised health and safety management system.
- If they have any independent assessment of their competence, for example, registration with CHAS (the contractor health and safety assessment scheme).

Assess the risk of the work: A risk assessment should be carried out (both the client, whether directly or by LHC's agent, and the contractor will be party to it).

Information, instruction and training: All parties to consider what information should be passed between them and onto their respective workforces, for example, the asbestos register, safety rules, emergency procedures etc.

Co-operation and co-ordination: Liaison arrangements will be set up with points of contact agreed etc.

Management and supervision: Applicable to both parties, the level of monitoring will be dependent on the risks, i.e. the greater the risks, the greater the monitoring. Should a situation arise where health and safety requirements are not being met, as the client, LHC's representatives should stop the work until matters are satisfactorily resolved.

Appendix A to this policy document provides a guide to work through the key principles of good health and safety management of contractors and aims to assist in the prioritisation of actions.

3. The Construction (Design and Management) Regulations 2015

3.1 Introduction

The Construction (Design and Management) Regulations 2015 (CDM 2015) place duties upon clients and all those who can contribute to the health and safety of a construction project, including designers and contractors. The key aim of CDM 2015 is to integrate health and safety into the management of the project and to encourage everyone involved to work together to:

- Improve the planning and management of projects from the very start.
- Identify hazards early on so they can be eliminated or reduced at the design or planning stage and the remaining risks can be properly managed.
- Target effort where it can do the most good in terms of health and safety.
- Discourage unnecessary bureaucracy.

CDM 2015 applies to all building and construction work and includes new builds, demolition, refurbishment, extensions, conversions, repairs and maintenance. Where it might not be immediately apparent whether CDM 2015 is applicable, for example, certain types of maintenance work, a common sense definition of construction work, along with a risk based approach, should be taken, i.e. if the task in hand looks like construction work, requires construction skills and uses construction materials, it is construction work.

There are two important phases of a construction project: before and during construction of building work:

Pre-construction phase: The inception, design and planning stage of a project before the construction or building work starts (although it is acknowledged design and planning continues into and throughout the construction phase).

Construction phase: The start-to-finish stage of the construction or building work.

3.2 Who is the client?

CDM 2015 defines a client as anyone for whom a construction project is carried out and applies to both commercial and domestic clients. A commercial client is an organisation or individual for whom a construction project is carried out in connection with a business, whether the business operates for profit or not.

Regardless of the project's size, the commercial client has contractual control, appoints designers and contractors (including the principal designer and principal contractor on projects involving more than one contractor) and determines the money, time and other resources for the project.

3.3 Roles and responsibilities

The Client: Must ensure that construction work is properly planned, resourced and managed to protect the health, safety and welfare of those carrying out work on, or who may be affected by, the client's project. The client has overall responsibility for the successful management of the project and, where there is more than one contractor, is supported by the principal designer and principal contractor in different phases of the project.

Contractor: Anyone who directly employs or engages construction workers or manages construction work. Contractors are required to plan, manage and monitor their work to ensure any risks are controlled. In addition, contractors working on projects involving more than one contractor must co-ordinate their work with the work of others in the project team, comply with directions given by the principal designer or principal contractor, and comply with parts of the construction phase plan relevant to their work.

Designer: Anyone who specifies and alters designs as part of their work, for example, architects, consulting engineers, quantity surveyors and interior designers. In addition to providing information, communicating, co-operating and co-ordinating with the project team, when preparing or modifying designs designers are required to eliminate, reduce or control foreseeable risks that may arise during construction and the maintenance and use of a building once it is built.

Principal designer: A principal designer must be formally appointed in writing by the client where a project involves, or is likely to involve, more than one contractor. A principal designer is an organisation or individual appointed by the client to take control of the pre-construction phase of any project involving more than one contractor. Principal designers have an important role in influencing how risks to health and safety are managed throughout a project

The role extends to the construction phase and, where a design and build contract is adopted, this role and its associated responsibilities are transferred over to the principal contractor. Where the scale of the design and project is considered significant, consideration should be given by LHC as to whether it is advantageous to retain the services of the pre-construction principal designer in a general health and safety adviser role.

Where the project is through a traditional contract the pre-construction phase principal designer should be retained and liaise with the principal contractor and ongoing design work. A principal designer should be appointed as early as possible in order to assist the client in gathering information about the project and to ensure that the designers have done all they can to check that it can be built safely.

Principal contractor: The contractor with control over the construction phase of a project involving more than one contractor. Appointed in writing by the client, the principal contractor is responsible for planning, managing, monitoring and co-ordinating health and safety during the construction phase of a project. This duty involves liaising with the client and principal designer throughout the project, including during the pre-construction phase, therefore, an early appointment will enable the principal contractor to be involved in discussions with the principal designer about the work.

Workers: Are the people who work for or under the control of contractors on a construction site. They must:

- Take care of their own health and safety and of others who may be affected by their actions.

- Report anything they see which is likely to endanger either their own or others' health and safety.
- Co-operate with their employer, fellow workers, contractors and other duty holders.

Appendix B to this policy document provides a summary of the duty holders specified within CDM 2015 along with their role and main duties.

3.4 The client's responsibilities – pre-construction phase

For the successful delivery of a project, good working relationships between the various duty holders are essential from the very outset.

The client is required to make suitable arrangements for managing the project so that health, safety and welfare is secured. The management arrangements should focus on the needs of the particular project, be proportionate to the size of the project and the risks involved in the work, and include:

- Assembling the project team by appointing designers and contractors, including giving confirmation in writing of the appointments of a principal contractor and principal designer where the project involves more than one contractor.
- Ensuring all parties have the necessary skills, knowledge, experience and organisational capability in respect for the project in question; for smaller projects, straightforward evidence from previous construction work is acceptable.
- Ensuring the roles, functions and responsibilities of the project team are clear, including the client's own.
- Ensuring sufficient resources and time are allocated for each stage of the project, from concept to completion.
- Ensuring effective mechanisms are in place for members of the project team to communicate and co-operate with each other and co-ordinate their activities.
- Providing pre-construction information, for example, information about the site and existing structures or hazards that may be present such as asbestos, overhead cables and buried services. The information may be already available such as in the form of existing drawings, or is that which is reasonable to obtain, for example, surveys of the site or premises. The information must be relevant to the project, have an appropriate level of detail and be proportionate to the nature of the risks. The principal designer can help gather this information.
- Determine, as the client, the reasonable steps that will be taken to ensure that the principal designer and principal contractor comply with their separate duties throughout the project (this could take place at project progress meetings or via written updates).
- For more complex work and significant hazards, ensure the arrangements for commissioning the new building and a well-planned handover procedure are considered.

3.5 Notifiable projects

For notifiable projects (where construction work will last longer than 30 working days and involves more than 20 workers working simultaneously at any point in the project, or where the work exceeds 500 individual worker days), the client must:

- Notify the Health and Safety Executive (HSE) in writing with details of the project as soon as is practicable before the construction phase begins.
- Ensure a copy of the notification is displayed in the construction site office.

In practice, the client may request someone else do this, for example, the principal designer.

3.6 The client brief

Clients are expected to take ownership of the management arrangements and ensure they communicate them clearly to other duty holders. One way to achieve this involves preparing a 'client's brief' as early as possible to set out the arrangements.

A client brief would normally:

- Set out the main function and operational requirements of the finished building or structure.
- Outline how the project is expected to be managed including its health and safety risks.
- Set a realistic timeframe and budget.
- Cover other relevant matters, such as establishing design direction and a single point of contact within the client's organisation.

3.7 The client's responsibilities – construction phase

During the construction phase the client continues to play a key role in checking that the management arrangements are effectively maintained and, as such, the client is required to:

- Ensure that the principal contractor or contractor (for single contractor projects) has prepared a construction phase plan. The project-specific plan must take into account the pre-construction information provided and record the arrangements for effectively managing the significant health and safety risks associated with the construction phase, for example, the site rules, the movement of vehicles on site to protect pedestrians, site security and how members of the public will be protected from harm. The plan should be proportionate to the scale of the work and the associated risks - the client must not allow work to start on site until there is an adequate plan in place.
- Make sure that workers are provided with suitable welfare facilities on the site for the duration of the project and that they are in place from the very start of the site work.
- Take reasonable steps to ensure the principal contractor is complying with their duties and the arrangements made for managing health and safety during construction are working successfully; this can be achieved through face-to-face progress meetings or

written updates. Clients are not required to undertake routine monitoring of construction phase activities.

- During the construction work the responsibility for the site is handed over to the principal contractor, therefore, the client, along with their nominated representatives, must comply with the principal contractor's requirements.
- As the project nears its end, to check the completion and handover arrangements to ensure that the related health and safety measures are adequate and robust.

Clients can also, intentionally or unwittingly, take on additional responsibilities. If they specify materials or methods of working they may well become designers in relation to those specific matters. They will also legally be deemed contractors if they directly manage or carry out construction work.

3.8 The health and safety file

The health and safety file contains information needed to ensure the health and safety of anyone carrying out any future construction, cleaning, alteration, refurbishment, demolition or maintenance work on the building or structure. At the end of the project the client must ensure the handover from the principal designer of the health and safety file that is up to date and contains all the necessary information. The file should be held and maintained by the client, updated where necessary, made available to those who need to access it and be shared with any leaseholders. Should ownership of the building or structure be transferred, the health and safety file should be handed over to the new owner.

4. Organisational responsibilities

In the case of LHC's construction projects, LHC acts as a corporate body and will be deemed the client rather than a named individual.

The Operations Manager is accountable for the implementation of this policy and will receive appropriate training in order to fulfil their responsibilities.

5. Policy review

This policy will be reviewed in line with any regulatory or legislative changes or by the scheduled review date as per the information provided in document control, whichever is sooner.

DOCUMENT CONTROL

Issue date	Approval date	Planned review date	Actual review date
April 2017	January 2018	June 2018	April 2019
		August 2020	August 2020
	December 2020	August 2021	

APPENDIX A - The management of contractors' health and safety checklist

Health and Safety Checklist	Yes/No
1. Have all aspects of the work you want the contractor to do been identified?	
2. Have the health and safety implications of the work been included in the job specification?	
3. Is the work construction or building work? If so, do you know what more you need to do to comply with the Construction (Design and Management) Regulations 2015?	
4. Have enquiries been made about the competence and suitability of the contractor? Has the evidence been checked before they get the job?	
5. Have the risks of the work been assessed and action agreed to control the risks with the contractor?	
6. Will the contractor be using sub-contractors and if so, what are their arrangements for selecting and managing those sub-contractors?	
7. Has the contractor and their employees been provided with information about the risks, for example, asbestos?	
8. Has the contractor and their employees been provided with LHC's emergency procedures?	
9. Have instructions and relevant information relating to the work been provided to LHC's own employees?	
10. Have LHC employees been informed how they can raise any concerns?	
11. Has a person been identified to be responsible for overseeing the work, and has that person been informed about what is expected of them?	
12. Have arrangements been put in place with the contractor to co-ordinate activities during the work?	
13. Has the contractor confirmed how they will supervise the work and their workers?	
14. Have arrangements been put in place to keep a check on how the work is going against what has been agreed with the contractor?	
15. Has it been agreed with the contractor how the job will be reviewed to learn any lessons from it?	

APPENDIX B: CDM 2015 – Duty holders* and summaries of roles and main duties

CDM duty holders	Summary of role/main duties	CDM duty holders	Summary of role/main duties
<p>Clients</p> <p>Organisations or individuals for whom a construction project is carried out.</p>	<p>Make suitable arrangements for managing a project. This includes making sure that:</p> <ul style="list-style-type: none"> • Other duty holders are appointed. • Sufficient time and resources are allocated. <p>Clients must also make sure that:</p> <ul style="list-style-type: none"> • Relevant information is prepared and provided to other duty holders. • The principal designer and principal contractor carry out their duties. • Welfare facilities are provided. • Notifications made to the HSE where required. 	<p>Principal designers</p> <p>Designers appointed by the client for 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.</p>	<p>Plan, manage, monitor and co-ordinate health and safety in the pre-construction phase of a project. This includes:</p> <ul style="list-style-type: none"> • Identifying, eliminating or controlling foreseeable risks. • Ensuring designers carry out their duties. <p>Prepare and provide relevant information to other duty holders.</p> <p>Provide relevant information to the principal contractor to help them plan, manage, monitor and co-ordinate health and safety in the construction phase.</p>
<p>Domestic clients</p> <p>People who have construction work carried out on their own home, or the home of a family member, that is not done in furtherance of a business, whether for profit or not.</p>	<p>Domestic clients are in scope of CDM 2015, but their duties as a client are normally transferred to:</p> <ul style="list-style-type: none"> • The contractor, on a single contractor project. • The principal contractor on a project involving more than one contractor. <p>However, the domestic client can choose to have a written agreement for the principal designer to carry out the client duties.</p>	<p>Designers</p> <p>Those who, as part of a business, prepare or modify designs for a building or product, or prepare or modify designs to systems relating to construction work.</p>	<p>When preparing or modifying designs, eliminate, reduce or control foreseeable risks that may arise during:</p> <ul style="list-style-type: none"> • Construction, and • The maintenance and use of a building once it is built. <p>Provide information to other members of the project team to help them fulfil their duties.</p>
<p>Principal contractors</p> <p>Contractors appointed by the client to co-ordinate the construction phase of a project where it involves more than one contractor.</p>	<p>Plan, manage, monitor and co-ordinate health and safety in the construction phase of a project. This includes:</p> <ul style="list-style-type: none"> • Liaising with the client and principal designer. • Preparing the construction phase plan. • Organising co-operation between contractors and co-ordinating their work. <p>Ensure that:</p> <ul style="list-style-type: none"> • Suitable site inductions are provided. • Reasonable steps are taken to prevent unauthorised access. • Workers are consulted and engaged in securing their health and safety. • Welfare facilities are provided. 	<p>Workers</p> <p>The people who work for or under the control of contractors on a construction site.</p>	<p>They must:</p> <ul style="list-style-type: none"> • Be consulted about matters which affect their health, safety and welfare. • Take care of their own health and safety and that of others who may be affected by their actions. • Report anything they see which is likely to endanger either their own or others' health and safety. • Co-operate with their employer, fellow workers, contractors and other duty holders.
<p>Contractors</p> <p>Those who do the actual construction work. They can be either an individual or a company.</p>	<p>Plan, manage and monitor construction work under their control so that it is carried out without risks to health and safety.</p> <p>For projects involving more than one contractor, co-ordinate their activities with others in the project team, in particular, comply with directions given to them by the principal designer or principal contractor.</p> <p>For single contractor projects, prepare a construction phase plan.</p>	<p>* Organisations or individuals can carry out the role of more than one duty holder, provided they have the skills, knowledge, experience and (if an organisation) the organisational capability necessary to carry out those roles in a way that secures health and safety.</p>	