

Contractors

General requirements

Guidance (part 1)

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Coventry City Council

www.coventry.gov.uk

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Introduction

This guidance outlines safe working practices and procedures for the selection, management and monitoring of contractors and sub-contractors working on premises or land, which are under the control of the Council. Contractor activity contributes to a large percentage of work related accidents, which often result in serious injuries and fatalities. Coventry City Council has the duty to ensure that all employees, service users, pupils, contractors and visitors are protected from the risk of construction work or any other activity carried out by contractors. This can be achieved by the development and implementation of good practice that ensures compliance with relevant legislation and industry standards.

General note

Prior to any Contractor being awarded work on premises owned or controlled by Coventry City Council, the Contractor must meet the City Council's procurement process. This means that as part of the health and safety requirement, the contractor will need to be appropriately accredited by a member of Safety Schemes in Procurement (SSIP). A list of current accreditation organisations can be found at the following website: <http://www.ssip.org.uk/>

2. General responsibilities

2.1 CONSTRUCTION (DESIGN & MANAGEMENT) REGULATIONS (CDM) 2015

The CDM Regulations apply to ALL construction based activities and aim to ensure that the construction project is safe to build, safe to use, safe to maintain and delivers good value. The regulations now extend to both Commercial and Domestic Clients. Where the authority is the client it is deemed to be a commercial client.

The regulations impose duties on a number of Duty Holders. The extent of the responsibilities of each party will depend on the circumstances.

- **Commercial Clients** - any individual or organisation that carries out a construction project as part of a business

Clients need to clearly identify all aspects of the work they want the contractor to do, including work falling within the preparation and completion phases. This will involve selecting someone suitable to do the job, assessing the risks, deciding what information, instruction and training is required, how co-operation and co-ordination between all parties is achieved, how the workforce is to be consulted and the level of management and supervision required; In particular the following points need to be considered:

Anyone engaging contractors on behalf of the City Council must;

- Follow the Council's procurement process
- Check that contractors are competent

The Client or the person acting on the behalf of the client must ensure that a Construction Phase Plan is in place for all projects, irrespective of size or duration.

Where a project has more than one contractor involved, the Client or the person acting on the behalf of the client must;

- Appoint a Principal Designer and a Principal Contractor in writing prior to commencing any work
- Ensure that a Health and Safety File is prepared by the Principal Contractor and given to the client on completion of the project

Where a project is expected to last longer than 30 working days and have more than 20 workers working on the project at any one time, or exceed 500 person days, the Client or the person acting on the behalf of the client must ensure that the project is notified to the Health and Safety Executive as soon as is practicable prior to commencing any work.

Designers

- **Principal Designers** – an organisation or individual (on smaller projects) 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. Design decisions made during the pre-construction phase have a significant influence in ensuring the project is delivered in a way that secures the health and safety of everyone affected by the work.

- **Designers** – an organisation or individual whose business involves preparing or modifying designs for construction projects, or arranging for, or instructing, others to do this. Designs include drawings, design details, specifications, bills of quantity and design calculations. Designers can be architects, consulting engineers, quantity surveyors and interior designers, or anyone who specifies and alters designs as part of their work. They can also be principal contractors, specialist contractors, tradespeople or even commercial clients, if they get actively involved in design work for their project.

Contractors

- **Principal contractors** - A contractor appointed by the client to control the construction phase of any project involving more than one contractor.

Principal contractors have an important role in managing health and safety risks during the construction phase so they must have the skills, knowledge, experience and, where relevant, organisational capability to carry out this work.

- **Contractors** - Anyone who directly employs or engages construction workers or manages construction work. Contractors include sub-contractors, any individual self-employed worker or business that carries out, manages or controls construction work. They must have the skills, knowledge, experience and, where relevant, the organisational capability to carry out the work safely and without risk to health

Contractors and the workers under their control are most at risk of injury and ill health from construction work. Contractors therefore have an important role in planning, managing and monitoring their work to ensure any risks are controlled.

Further information can be obtained by clicking on the links in blue (for each of the duty holders) above.

2.2 Responsibilities of contractors

As part of the Councils' requirement the Contractor, before submitting the tender must be conversant with the Statutory Regulations governing the work to be undertaken and other Acts, Regulations and Orders affecting the works. Together with the City Council's Health and Safety Guidance, Permit to Work Systems and any other special conditions, the Contractor will comply with their duties under Health & Safety legislation and all approved codes. Where no specific legislation exists, the Contractor must comply with guidance provided by relevant codes of practice or industry standards as a minimum standard of health and safety.

The Contractor will be responsible for the appointment of a Site Manager or Senior Person for the premises or works and will forward the name of that person on commencement of work, to the Contracts Officer* of the City Council. (*The Project Manager, Architect, Engineer or Supervising Officer, as the case may be, as defined under the contract with the City Council).

The Contractor must ensure that Sub-Contractors are carefully selected to ensure high standards of health and safety compliance are maintained. Contractors are reminded that they will be held responsible by the City Council in the event of any failings of the Sub-Contractor and as such, the Contractor may be prevented from tendering for City Council work in the future.

The Contractor must assure the City Council that the Sub-Contractors attention has been drawn to those items in this document, which are the subject of the work they are to undertake as part of the main contract.

The Contractor must ensure that:

- a)** they have established satisfactory and safe systems of working in accordance with their written safety policy and method statements
- b)** all employees are adequately trained and are supplied with all relevant information on risks associated with the project and control measures to be employed
- c)** the area of work and siting of temporary building and storage areas e.g. LPG, petroleum etc., has been clearly defined and is adequately fenced/hoarded
- d)** they are fully aware of any emergency evacuation procedure and assembly points that may be in force in the area of work. Where the work may interfere with these arrangements, temporary arrangements must be agreed by all parties concerned i.e. controller of the premises, occupants and other Contractors
- e)** they have made proper arrangements for the sharing, or provision of sanitary, welfare, canteen and First Aid facilities
- f)** any Licenses, Permits to Work etc., necessary for the work have been obtained
- g)** Structural Engineers have been consulted where excavations are required near buildings, or additional weight is being placed on roofs, floors or other parts of existing structures;
- h)** designs and calculations have been prepared by a competent person for temporary works, such as shoring, formwork or similar supporting structures;
- i)** safe passage is maintained for all pedestrians near works, whether they are City Council employees, service users or members of the public, with particular attention being paid to persons with special needs, the visually impaired, young persons or children etc., and that all plant equipment and materials, together with the site in general is left in a safe condition when unattended;
- j)** the position of all public utilities, e.g. electricity, gas, water, telephone and cable television etc. have been identified and the necessary precautions taken.

2.2.1 Risk Assessment

The Contractor must ensure that suitable and sufficient risk assessments are produced and documented for all tasks that involve significant risk. Suitable control measures must then be put in place and all operatives provided with information and training on the risks identified and the control measures provided.

These assessments should be available to those on site undertaking the work. It may be necessary to share the findings of these risk assessments with the Client, especially where the contractor's activities will affect the Client's existing health and safety arrangements e.g. fire escape routes, deliveries and collections, etc.

2.2.2 Method Statement

The Contractor must produce and submit written method statements describing the safe systems of work to be adopted for the tasks they are contracted to carry out, prior to work commencing. The level of detail included in the method statement etc., is dependent on the level of risk involved with the task.

The method statement(s) will need to be on site and available for inspection at any time.

2.2.3 Site Documentation

The contractor will be expected to keep a copy of all required and relevant documentation on site at all times. It is expected that the contractor will disseminate the documented information to their employees accordingly. This includes ensuring a copy of the construction phase plan is available on-site.

3. Monitoring by Coventry City Council

Representatives of the City Council will monitor contractors on a regular basis to ensure compliance with their legal obligations and City Council's health and safety policy and guidance notes. City Council Advisors from Health and Safety will undertake site inspections. A record of these inspections will be kept to monitor the contractor's health and safety performance whilst working on City Council controlled sites.

Repeated poor performance may lead to formal warning and ultimately termination of contracts. If a contractor is contracted through a Framework Agreement then the City Council reserves the right to impose notice of termination and related clauses. The City Council will also notify the SSIP accreditation organisation recommending they undertake an investigation and/or reassess their accreditation of the contractor concerned.

4. General Comments

This document identifies some key elements that need to be considered by the Contractor when working on City Council contracts/establishments. Further areas of consideration can be found within the Contractor Part 2: Site Compliance Guidance

The officer engaging the contractor must ensure that the contractor receives a copy of this document and the Contractor Part 2: Site Compliance Guidance in good time before works commence. They will also need to ensure that they obtain a signed declaration from the contract indicating that they have received a copy of this document and will abide by the requirements laid down by the City Council and their legal obligations for health and safety (see Appendix 1).

HSE Guidance

1. **CDM (Regs) 2015:** <http://www.hse.gov.uk/construction/cdm/2015/summary.htm>
2. **Joint Responsibilities under CDM 15:** <http://www.hse.gov.uk/pubns/indg368.pdf>
3. **Project Notification:** www.hse.gov.uk/construction/cdm/faq/notification.htm

Coventry City Council Guidance

1. **Procurement:** Council's Procurement
2. **Work Permits:** Permit Guidance
3. **Contractor Part 2:** Site Compliance Guidance

Appendix 1

CONTRACTORS ACKNOWLEDGEMENT

We/I.....acknowledge that we/I have received a copy of the City Council's Contractors Requirements Guidance and the Contractor Site Compliance Guidance and have read and understood the content.

We/I will distribute a copy to each of our/my supervisory staff engaged on contract work for our Company. We/I understand that our/my employees will be instructed to observe these rules throughout the contract. We/I further undertake that no work will be undertaken until this Acknowledgement is completed and returned*

Name of Contractor/ Company

Signature:

Print Name:

Title:

.....
(for and on behalf of Contractor/Sub-Contractor)

Address.....
.....
.....

.....Date.....

*TO BE RETURNED TO THE CONTRACTS OFFICER/CLIENT BEFORE WORK COMMENCES.

Contacts

Health and Safety Services on 024 7683 3285 or
e-mail: healthandsafetyservicesadmin@coventry.gov.uk

Project Delivery Team 024 7683 2675
Occupier Support Team 024 7683 1126

If you need this information in another language or format
please contact Occupational Health on 024 7683 3255