



Managing contractors

From time to time, you might employ the services of a contractor to complete tasks at your premises. This could be maintenance, repair or installation work. You may also use them to complete construction and demolition work or provide other services such as catering and so on.

A contractor is anyone you get to work for you who is not an employee or volunteer. They work under a contract providing materials or labour to perform a service or complete a job.

From a health and safety point of view, they will usually be unfamiliar with your premises and any specific hazards there. Because of this, they may be more at risk of injury. They may also carry out work which could potentially damage your premises or injure others who may be using it. Sometimes, you may have more than one contractor doing the work at a time. This can potentially increase or add to the risk. In other cases, the contractor may further sub-contract the work to others. All of this, may affect the precautions you have taken to ensure the safety of others.

Because of this, you will want to make sure that adequate precautions are maintained whilst the work is done. This does not mean that you have to manage your contractors closely, rather to make suitable checks that health and safety will be properly managed.

Legal requirements

Generally, if someone is injured you may need to show that you have met your duty of care. If you are an employer or have control of non-domestic premises you will also have duties under the Health and Safety at Work etc. Act.

As an employer, you will have to meet additional duties under the Management of Health and Safety at Work Regulations. In managing contractors, the requirements relating to risk assessments; emergency procedures; co-operation between employers sharing workplaces; and persons working in host employers' premises are of particular note. One example of the practical application of this, are circumstances where you might have to provide contractors with adequate health and safety information.

Put simply, you must make sure that your employees (and others who may be using your premises) remain safe whilst any contractor completes their work. You must also make sure that their employees are not injured by any of your activities whilst working at your premises. Similarly, the contractor must make sure their employees and others (e.g. your employees, volunteers etc.) who may be affected by their work remain safe too. Depending on the nature of the work undertaken, this may require close co-operation to ensure that the necessary precautions are taken.

Irrespective of whether you are an employer or not, you may need to meet certain legal duties where construction work is being completed. This is under the Construction (Design and Management) Regulations 2015, commonly referred to as CDM.

Making a start

Action	Guidance
<p>1. Identify where you use contractors and the type of work they do for you.</p>	<p>This will help you decide what is needed to manage health and safety properly when this work is undertaken.</p> <p>If it is construction work, you will have specific responsibilities to meet as a client. A client is someone for whom construction work is carried out.</p>
<p>2. Plan the work that contractors do for you.</p>	<p>Think about the work you want them to do and how this might affect the precautions you have already taken to protect people. You can then decide if you need to do anything else as a consequence. This will depend on the nature and complexity of the work and the hazards associated with it.</p> <p>If you have completed risk assessments, use these to identify where contractors' employees might be affected by your activities. You can then identify any precautions they will need to take. In some circumstances, it might be necessary to review the risk assessments you have made.</p> <p>Based on this, determine if there are any specific health and safety conditions (including those relating to emergency procedures) that need to be met by the contractor. Also, identify any specific health and safety information that might be useful to them in pricing for and completing the work.</p> <p>It is important to agree the precautions that are needed with them before work starts.</p>

Action	Guidance
<p>3. Select a suitable contractor to do the work for you.</p>	<p>You must satisfy yourself that any contractor you appoint to do work for you, will do it safely and without risks to health.</p> <p>For smaller jobs, this simply means making sensible enquiries about their competence and ability to do this with suitable precautions in place.</p> <p>For larger projects or more involved work, you may want to make more detailed checks. This could include:</p> <ul style="list-style-type: none"> • what qualifications, skills and experience they have for completing the type of work required • if they have any independent assessment of their competence • if they are members of a trade association or professional body • if they have a written health and safety policy (this is only required where they have five or more employees) • if they complete risk assessments (again, written risk assessments are only required if they have five or more employees) • what arrangements they have for supervising the work; checking equipment and materials etc. • what health and safety information and training they provide for their employees • if they will be using sub-contractors and if they are, how they will check they are competent • if they have had any accidents or if they have been prosecuted for health and safety offences • what insurances they have in place (i.e. Employers' and Public liability insurance) • if they will be producing a method statement for the work (this is not required by law, but it is a good way of specifying how the work will be done and what health and safety precautions will necessary). <p>Again, if the work to be completed is construction work, you will have to make specific checks to meet your responsibilities as a client.</p>
<p>4. Provide appropriate information to the contractor and others.</p>	<p>This may include detail of:</p> <ul style="list-style-type: none"> • any specific health and safety risks they may come across in your premises or as a result of your activities there (e.g. the presence of asbestos) • the precautions you have in place to guard against these risks • your emergency procedures (e.g. in relation to fire). <p>Because of the nature of some of the work completed by your contractors, you may need to provide additional health and safety instructions, information or training for your own employees (and volunteers in these circumstances).</p> <p>As before, if the work to be completed is construction work, you will need to provide specific information to others.</p>

Action	Guidance
<p>5. Co-operate and co-ordinate with the contractor.</p>	<p>You and the contractor must work together, co-ordinating your activities to ensure the work can be done safely and without risks to health.</p> <p>What will be needed here will depend on the nature of the work involved; the hazards associated with it; and the number of contractors (or sub-contractors) involved. For example, for larger projects you may want to have regular meetings throughout the project.</p>
<p>6. Manage and supervise the work.</p>	<p>The measures you put in place should be consistent with the level of risk, i.e. the greater the risk, the more you may need to do. In many cases, you will be employing contractors who are specialists, and you may not appreciate the risks associated with their work.</p> <p>For larger projects, you may need to consider:</p> <ul style="list-style-type: none"> • who will supervise the work and how • how the work will be done and what precautions will be needed • what equipment should or should not be worked on/used • what personal protective equipment is to be used and who will provide it • specific working procedures e.g. those required where hot work is to be completed, including the use of any permits-to-work • the arrangements for stopping the work, if there are serious health and safety concerns. <p>Where necessary you will have to make sure that any required precautions you are responsible for are maintained e.g. segregating members of the public from the work area and so on.</p> <p>Where the level of risk or the duration of the work requires it, you may want to keep a check on how the work is going against what you have agreed. You can do this by:</p> <ul style="list-style-type: none"> • making periodic checks • investigating any accidents or complaints • reviewing how things went, once the job is complete.
<p>7. Document your arrangements and responsibilities for managing construction work.</p> <p>Review these where necessary, particularly if you suspect that they are no longer valid.</p>	<p>If you need to prepare a health and safety policy, you could record your arrangements as part of it.</p>

Want to know more?

Further useful resources are available at www.hse.gov.uk

Note: if you are in Ireland, Northern Ireland, Jersey, Guernsey or the Isle of Man, then regional variations might apply. In this instance, you should check the guidance provided by the Enforcing Agency for your region. This will be freely available on their website.

Risk advice line

(provided by Ecclesiastical professionals or external specialists)

Phone: **0345 600 7531**

Email: risk.advice@ecclesiastical.com

Risk specialists are on hand to advise you on a range of topics, including:

- property protection, security, business continuity planning
- health and safety, food safety, environmental management
- construction safety, fire safety, occupational health, water safety or asbestos.

Available Monday to Friday 9am – 5pm (excluding public and bank holidays).

For further information speak to your insurance advisor or call us on **0345 60 20 999**

www.ansvar.co.uk