

Part 2. Managing Contractor Work



1.0 Introduction

This document has been written to detail part of the Organisational Arrangements within the Construction and Contractor Work Policy. It is specifically applicable for the management of contractor work that does not meet the construction definition. (Policy Section 7.)

A contractor undertaking non-construction work can be anyone who is commissioned to undertake work for or on behalf of a WCC Group/Service/Unit/Team/School. For example window cleaners, grounds maintenance; service engineers, etc. These could be contractors from external organisations or internal WCC services who you contract with e.g. ICT equipment installations.

Any person commissioning and appointing a contractor to undertake work (usually known as the “client”) has legal responsibilities to ensure the risks to the contractor/s, employees and anyone else that may be affected, e.g. visitors, public, young people, are reduced as far as is reasonably practicable. This is in addition to the contractors own, specific, legal responsibilities.

The extent of time and effort required for planning, implementing arrangements and the detail of documentation will depend on the complexity of the work and the risks involved.

Step 1. Plan the work

The person deciding that work needs to be carried out and commissioning the work and contractor is the person (client) responsible for ensuring the following at the planning stage;

- identify all aspects of the work required*
- carefully consider the known and foreseeable health and safety implications and extent of the risks
- provide and where necessary discuss with the contractor, prior to the work starting, any relevant information and expected standards of health and safety, e.g. work at height restrictions, asbestos information (this could be included in the written job specification, where applicable)
- obtain relevant information and documentation from the contractor to assess the suitability and if necessary discuss, prior to work starting, e.g. scheme of work, risk assessment, method statement etc.

***Note:** when all aspects of the required work have been identified, if necessary, or unsure, check against the “construction work” definition in the policy (7.0) to ensure that the work or elements of the work do not fall under the Construction (Design and Management) Regulations 2015 requirements.

Where work is undertaken on a WCC owned building/structure or a WCC leased building, this may require landlord approval or building regulations approval. This will depend on the type of work, structural or non-structural and if leasehold, the terms of the lease. Confirmation must be obtained from WCC Estates on whether approval is required, before the work begins.

Step 2. Appoint contractors

You will need to ensure that contractors are competent to undertake all the aspects of the work they are asked to do by checking that they have the appropriate technical and safety skills, knowledge and experience. The level of detail of the checks will depend on the complexity of the work and the risks involved.

There are a number of ways that contractors can be appointed:

- Undertake, a pre-qualification and procurement exercise to produce an approved contractor framework or an approved contractor for a specific contract (first stage)
- Use a third party, approved, pre-qualification assessment service e.g. SSIP for the pre-qualification stage only (to check that the contractor has the required trade skills, experience and knowledge only)
- Commission a WCC service/business unit to appoint the contractor, arrange and manage the work e.g. Resources Group, Physical Assets, They may also assist with the planning and documentation/information (the commissioning person (client) still retains a level of responsibility for the contractor on site (**refer to Step 4.**)
- Self- help Scheme - selecting and commissioning a contractor directly from an external source, this involves full responsibility for ensuring the suitability and competence of the contractor for the specific work that they will be undertaking

For more information on pre-qualification questions (PQQ), checks and assessment for checking the competency of contractors refer to the **Part 1. Document, Section 3.0.**

The WCC procurement process must also be followed and referred to (which includes but is not limited to; Contract Standing Orders and Procurement Code of Practice).

The following specific information should also be considered, if not already obtained in the PQQ stage.

Does the contractor have:

- sufficient skills and knowledge to carry out the specific work involved
- evidence that skills and capabilities are kept up to date
- previous evidence of managing the types of risks involved in the same or similar work or projects
- membership of an established professional institution or body, if relevant
- appropriate level of employee liability insurance

Note: If you commission a contractor directly that's currently on a WCC service approved contractor framework, the PQQ stage will have been undertaken but you still retain responsibility to ensure that the contractor is suitable for the type of work involved and you have responsibility for all other areas of managing the contractor and work.

Step 3. Documentation/Information

Risk assessment

Contractors have a responsibility, on your request, for providing a risk assessment to demonstrate how they will generally reduce and control the significant risks in the areas of their work.

For example for a window cleaning contract this will state how they have eliminated, reduced or will control the risks of working at height. If the risk assessment doesn't state how this will specifically happen on the site/s contracted to work on then either the risk assessment will need to be adapted to show this or a specific method statement provided.

The risk assessment submitted may be suitable for the full duration of the contract if there are no changes to a) the type of work undertaken b) the site/s the work is undertaken on.

Method statement

If the risk assessment doesn't give the appropriate detail for how the contractor will manage the risks and work safely at any specific site/s then a method statement is required which should give a step-by-step account of how this will be done, taking into account any site specific risks, requirements and agreements. A method statement may include for example (but not exhaustive) brief details of the work, time of arrival, number of contractors on site, plant and equipment to be used and how it will be used, waste removal, personal protective equipment to be worn etc.

Permit to work systems

Permit to work systems are used for high risk and unusual work for example, hot work and entry into confined spaces where there is still an inherent risk that cannot be further reduced. The system allows the work to take place in an authorised and controlled way.

Contractors should identify either within the risk assessment or specific method statement where the work will require them to use a permit system, details to be discussed at the planning stage. Relevant information should also be shared with the site responsible person, such as the type of work taking place, the duration, location and relevant details of the work and as an example; for hot work, whether the fire alarm system will be compromised, the cooling period etc.

Step 4. On site arrangements

Whether the contractor is commissioned within your own service or through another WCC service, a site responsible person should be aware of the contractor work being undertaken and have the relevant information necessary; the detail will depend on the work being carried out and if they will be expected to be the point of contact for receiving and generally monitoring the contractor/s on site.

The commissioning person (client) and/or site responsible person will also need to ensure, if necessary and dependant on the work, that any other person on site or in the vicinity that may be affected by the work is aware and has the appropriate level of information.

Before work starts on site, relevant information should be shared and where appropriate discussed with the contractor, either at a pre-start meeting or when they arrive on site. For example (but not exhaustive)

- access to site and parking arrangements
- signing in and security arrangements
- emergency and first aid procedures
- restricted/prohibited areas
- control and segregation of the work area

Re-active work

Re-active work is emergency/repair work required at short notice that could not be planned e.g. a leaking pipe. If you are commissioning work through Resources, Physical Assets, contractors appointed for this type of work will be on an approved contractor framework where the pre-qualification checks have already been undertaken. These contractors will complete their own reactive works risk assessment before or when attending site. This process is suitable and sufficient for this work and does not require checking this information or obtaining any further documentation.

If directly appointing and commissioning emergency/repair work contractors, a suitable procurement process should be undertaken.

Step 5. Monitor

The level and frequency of monitoring contractors work on site, and who is competent to monitor them, will depend on the complexity of the work. The location, environment, duration and whether the contractor is working alone will also need to be considered.

This should be discussed and agreed at a pre-site meeting, or between the commissioning person and the site responsible person, where appropriate. The information in the job specification/ specific risk assessment/method statement should be referred to and used as a check that the work is being undertaken as described and agreed.

Unsafe practice and behaviour should be challenged by the site responsible person if possible or other appropriate member of staff and if necessary if it is likely that an imminent and significant incident/injury could occur, the work should be stopped immediately. Work should only continue if it can be agreed and confirmed satisfactorily with all concerned that work will be undertaken safely with all agreed measures in place.

For re-active work, sensible and proportionate steps and arrangements should be taken for allowing access and monitoring contractors on site for this type of work. This should include the recording and escalating of any unsafe practice by a framework approved contractor.

Step 6. Review

The overall performance of the contractor work should be reviewed periodically to include;

- the effectiveness of the planning of the work
- the suitability of documentation and information obtained and provided
- how effectively health and safety and risks were managed
- the quality of the finished work
- any unsafe practice/incidents/improvements required during the work
- the overall performance and suitability of the contractor

A planned programme of regular performance review meetings should be in place for approved and long term contractors.

Further Information

1. WCC Procurement Process -
<http://intranet.warwickshire.gov.uk/helpingyouwork/Procurementandfinance/Pages/default.aspx>
2. Health and Safety Executive: Using Contractors, a brief guide -
<http://www.hse.gov.uk/pubns/indg368.pdf>