

Selecting and managing contractors



A contractor is any person brought in to work for you who is not an employee, or treated as such for health and safety purposes (as may be the case, for example, for someone who works under your direction but is regarded as self-employed or a temporary or agency worker).

Most organisations use contractors to provide a variety of services that their employees aren't expected to have the knowledge, skills and experience for, or to use up their working hours on, such as cleaning, maintenance, installation, repairs, servicing, transport, security and catering. Their presence on-site may be very brief, for an hour or two, or much longer and possibly spread over days, weeks or months, and could even be permanent (in the case of catering staff and cleaners, for example).

Accidents happen when communication, co-ordination and/or supervision between all relevant parties about the hazards presented by one another's work activities are absent or ineffective, resulting in a lack of appropriate risk control measures.

There are unfortunately many examples where failures in the client-contractor relationship have caused fires, property damage, injuries, ill health, and even fatalities, leading to the prosecution of both parties.

Anyone engaging contractors has health and safety responsibilities, both for the contractors and anyone else that could be affected by their activities. Contractors themselves also have legal health and safety responsibilities.

Key actions to consider in relation to the management of contractors

- Incorporate arrangements for the management of contractors in your health and safety policy with a requirement for bespoke risk assessments to be carried out for the work they carry out.
 - Get someone with appropriate knowledge and experience to provide assistance with co-ordinating and implementing these arrangements

- Make enquiries about the competence of any contractor you are planning to use so that you can ascertain they have the right combination of skills, experience and knowledge for the job. It's often a good idea to develop a questionnaire for this purpose, with the aim of finding out:
 - about their health and safety policy;
 - what arrangements will be in place to manage and supervise the work;
 - whether subcontractors will be used and, if so, how their competence will be checked;
 - about their recent health and safety performance, including the amount of accidents and cases of ill health reported and recorded, and any action taken against them by the Health and Safety Executive (HSE);
 - if they can provide existing risk assessments and method statements completed for similar jobs;
 - if they can provide references from previous clients for similar jobs;
 - what qualifications, skills and experience they have in the type of work;
 - what health and safety information and training is provided for their workers; and
 - whether they hold any external or third party accreditations, or are members of trade bodies/ organisations.
- Agree formal risk control procedures and arrangements, including risk assessments, method statements and, where appropriate, permits to work. You'll need to satisfy yourself that the contractor you choose can do the job safely and without risks to health.
 - A 'safety passport' can be a good way of verifying that an individual understands the hazards and risks associated with their work, but it should never be seen as evidence of their competence to carry out the work, or as an alternative to risk assessments, health and safety induction and training and on site supervision.
- Ask about the inclusion of return visits for remedial and maintenance work in the contract, as well as how they will deal with specification changes or problems during completion of the work. Regular liaison meetings should take place from initial planning until a post-completion review so that any issues can be brought to all parties' attention promptly.
- Consider setting up a 'directory' of authorised contractors that are used regularly and have been through a formal selection process with agreed risk control procedures and method statements.
 - Check the acceptance criteria for those with approved contractor status at least annually.
- Obtain evidence before work starts that the contractor holds adequate public and employer's liability insurance (with a limit of indemnity of at least £2m).
- Check your own insurance conditions to see if any special measures are required before any contracted work starts. The use of certain materials or equipment may be excluded by the policy or prescribed control measures could be needed.
- Identify any legal requirements that may apply to specific activities, for instance:
 - During work with asbestos, asbestos containing materials and asbestos waste, the requirements of the Control of Asbestos Regulations must be met.
 - Construction work must be carried out in accordance with the Construction (Design and Management) Regulations (CDM 2015).

- Work with contractors to make sure there is enough time and resource to complete any works safely.
- Hold a pre-start meeting to ensure there is effective co-ordination and clear communication between contractors and others potentially affected by their activities. Firmly establish your requirements and formally agree on the contractors' responsibilities for health and safety.
 - Exchange information relevant to the site and activities that take place on it, such as traffic management, details of any fragile surfaces, use of hazardous substances, the location of asbestos containing materials and other works that might impact those of the contractor.
 - Lay out what the process is for contractors entering and leaving the premises or site (i.e. how they should sign in and out), who their contacts are around the site, where they can access welfare facilities and where they are not permitted access.
 - Share the responsibility for preventing unauthorised use of equipment and ensuring that personal protective equipment is appropriate and used correctly.
 - Implement procedures for supervising and monitoring contractors' activities on site (e.g. inspections as works progress and regular liaison meetings), ensuring that corrective action is taken immediately where contractors are considered to be working unsafely.
 - Make arrangements for the various aspects required to maintain health and safety, such as training, supervision, permit to work systems, isolation and lock-off of plant and equipment and reporting, recording and investigation of accidents, incidents and near misses.
- Provide information, instruction and training to ensure that managers and the workforce, including reception and maintenance staff, as well as the contractors and their employees or subcontractors, know what to do, what to avoid and both specific and general health and safety duties when contractors are on site. All employees must be aware of their health and safety duties and responsibilities when contractors are on-site.
- Address and manage the special requirements, such as language differences or disabilities, of any individuals involved in contracted work.
- If you have contractors who visit on a regular basis, still be prepared to provide the training and guidance you would for anyone new. Staff turnover at the contractor's business can mean it won't always be the same people coming to your premises and they will be unfamiliar with the hazards and safety measures.
- Develop a process for periodic inspection and audit of contractor management procedures.