

Health & Safety, Edinburgh Napier University

Contractors Policy

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1. Introduction

The University has a legal responsibility to safeguard contractors and their employees from any risks to their health and safety arising from the activities of the University. Likewise, the University is obliged to ensure that staff, student and visitors to the University are not exposed to risks to their health and safety as a result of the contractor's activities.

Prior to engaging contractors to work on the fabric of the building, services or infrastructure please refer to the following :

<https://staff.napier.ac.uk/services/governance-compliance/healthandsafety/forms/Pages/Projects.aspx>

2. Definitions

A **Contractor** is defined as any individual, company or organisation, other than an employee, engaged by the University to carry out any work for gain or reward. People carrying out work for an organisation on a voluntary basis are considered to be employees for the purposes of health and safety law. Sub-contractors are individuals, companies or organisations employed to undertake works for gain or reward by the contractor. All Contractors are both contractors and sub-contractors.

The term **Contract Administrator (CA)** means the member of staff in the School or Service of Edinburgh Napier University who initiated the contract. Individual personnel fulfilling the role of CA within the School or Service will be identified as appropriate to the contract work/services. The competent CA will be appointed by the Dean of School or Director of Service in writing and records held in the School or Service office.

3. School/Service Responsibilities

The Dean of School or Director of Service which engages the contractors must ensure that the contractor has received a copy of the [University's Code of Practice for the Management of University Contractors/Works](#) and that the company employees have read and understood and accepted the contents. The Dean of School or Director of Service should ensure the contractor is made aware of any particular hazards, systems of work, safety or emergency procedures, etc. which are present or apply, before the contractor starts work.

4. Contract Administrators

All staff members who appoint contractors must regularly attend Contract Administrator Training. These sessions are run by the Health and Safety Office. This will provide the members of staff with the tools to carry out successful contractor induction and control of the contractor. It will also make companies and employees aware of the safety requirements prior to working at the University. Resources are available for Contract Administrators and contractor induction on the [Health & Safety website](#).

5. Code of Practice for the Management of University Contractors/Works

The University's [code of practice](#) covers all type of work and services, including exhibitions, filming and events taking place in the University by external bodies.

It gives guidance on the following topics:

- Management of health and safety
- Contractors' responsibilities
- Starting work
- Permit to work
- Fire/emergency procedure
- Accidents and dangerous occurrences
- Work at height/access to roofs
- Asbestos
- Building works
- Control of substances hazardous to health (COSHH)
- Demolition
- Disposal of waste
- Risk assessments/method statements
 - Hazardous areas
 - Specialist contractors – special hazards
 - Events
 - Stunts
 - Catering
 - Lone working
 - Conference and Letting contractors
 - Sub-contractors

6. Construction/Maintenance/Refurbishment and Infrastructure

Construction work is legally defined within the CDM Regulations as “the carrying out of any building, civil engineering or engineering construction work and includes:

- a) the construction, alteration, conversion, fitting out, commissioning, renovation, repair, upkeep, redecoration or other maintenance (including cleaning which involves the use of water or an abrasive at high pressure, or the use of corrosive or toxic substances), de-commissioning, demolition or dismantling of a structure;
- b) the preparation for an intended structure, including site clearance, exploration, investigation (but not site survey) and excavation (but not pre-construction archaeological investigations), and the clearance or preparation of the site or structure for use or occupation at its conclusion;
- c) the assembly on site of prefabricated elements to form a structure or the disassembly on site of the prefabricated elements which, immediately before such disassembly, formed a structure;
- d) the removal of a structure, or of any product or waste resulting from demolition or dismantling of a structure, or from disassembly of prefabricated elements which immediately before such disassembly formed such a structure;

- e) the installation, commissioning, maintenance, repair or removal of mechanical, electrical, gas, compressed air, hydraulic, telecommunications, computer or similar services which are normally fixed within or to a structure”.

Notifiable projects: CDM requires that certain projects be notified to the Health and Safety Executive. These include projects that will last more than 30 days where there will be 20 or more workers on site at any time during the project and any projects involving more than 500 person working days.

Principal Contractor: A specific duty holder required, under CDM, to be appointed on all notifiable projects. They plan, manage and monitor the construction phase so that it can be performed safely. The University will never act as the Principal Contractor on such projects. Whilst the University has some duties with regards to how notifiable projects are planned and delivered, these do not extend to approving method statements and risk assessments or directly supervising works unless these are carried out outside of areas specifically handed over to the Principal Contractor.

The University aims to deliver this commitment by:

- a) Carrying out appropriate checks of each of its contractors prior to the letting of any contract (or establishment of any framework agreement) to ensure, so far as is reasonably practicable, that it only engages suitably competent contractors to carry out works on its behalf.
- b) Providing contractors with the necessary information, induction training, supervision and instruction to undertake their work in accordance with this and all other relevant health and safety policy and any specific legislative requirements that might apply.
- c) Providing contractors with suitable and sufficient asbestos information, at tender stage, to enable them to plan and deliver their works without risk of exposure to, or the uncontrolled release of, asbestos fibres.
- d) Only allowing contractors to commence work once they have provided, and where necessary implemented, suitable and sufficient risk assessments to manage any significant risks associated with their works. In the case of notifiable projects, construction works will only be allowed to commence when the Principal Contractor has provided a suitable and sufficient Construction Phase plan and has put in place adequate welfare arrangements.
- e) Notifying the Health and Safety Executive (HSE) of all relevant University construction projects as soon as is reasonably practicable.
- f) Ensuring that construction works and projects are planned so that there is adequate time to deliver these safely.
- g) Overseeing and monitoring all contractor works under the direct control of the University. Oversight will be carried out by a suitably competent person (or persons) appointed by the University.
- h) Developing and implementing suitable and sufficient risk-based procedures to gain effective control, coordination, cooperation and communication of all contractor works.
- i) Property and Facilities are responsible for all “Permit to Work” arrangements for the management of specified high risk works. This will include providing sufficient resources such that Permits to Work are only issued by suitably competent and appropriately authorised persons.
- j) Requiring that all contractor works which involve, to any extent, works on building fabric or services or infrastructure are approved, in writing, by the Director of Property and Facilities (or their appointed agent) and the Health & Safety Office using the [project authorisation](#)

[forms](#). No such works will be allowed to commence until this approval has been provided by both parties.

- k) Monitoring contractor performance at appropriate intervals and taking appropriate corrective action where health and safety issues are identified.
- l) Implementing arrangements to ensure that contractors provide any necessary information, documentation or certificates in order to ensure that the University can meet its general and specific health and safety responsibilities.
- m) Reviewing overall contractor performance at the end of each contract and implementing, where practicable, any significant findings.

7. Procedures

Contractors must supply the university with details of their liability insurance cover in respect of fire, damage, loss, public and employers liability. A copy of the contractor's health and safety policy shall also be obtained before that contractor is engaged. The University reserves the right to exclude the contractor and contractor's employees from the University premises for breaches of safety.

Insofar as any hazardous situation or incident arises from actions of contractors the responsibility lies with the contractor. When such incidents are brought to the attention of, or observed by, University staff they should inform the member of staff responsible for engaging the contractor and/or the University Health and Safety Team.

All accidents and near misses require to be reported to the Health and Safety Team using the university accident form. All relevant information will be requested by the Health and Safety Team to carry out a full and thorough investigation.

Where an accident comes under the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations (RIDDOR) if contractors' staff they will be responsible for reporting it, if University staff, student or visitor, then this will fall to the University Health and Safety Team to report to the relevant authorities.