



Health & Safety Contractors Policy for Projects and CDM

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¹ or earlier if change in legislation or on risk assessment

Amendment Control

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1.0	Jun 2023	

Health & Safety

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Policy Summary

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.

This policy covers contractors carrying out project and CDM works within the university. This policy provides details on how the Management of Contractors is carried out in the University.

At the planning stage and well before engaging contractors to work on the fabric of the building, services or infrastructure please contact Property & Facilities for a discussion and authorisation.

The University presents a number of hazards that need to be controlled, communicated and managed to prevent injury and harm to anyone working in these areas. This will include contractors, staff, students and all other building users.

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.

The term **Contract Administrator** (CA) means the member of staff in the School or Service of Edinburgh Napier University who is in control of 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.

Useful links:

Code of Practice for the Management of University Contractors/Works booklet – [click here](#)
Information for Contract Administrators – [click here](#)
Health & Safety Executive guidance – [click here](#)

Control of contractors flowchart – CDM

Contractor/Sub-Contractor, Principal Contractor, Principal Designer, Client

Plan

- What type of contract requires to be raised?
- Approval from university procurement
- Is contractor approved or new?
- Sub-contracted – Principal Designer/Contractor
- Sufficient time to complete project
- Client information – what do Principal Designer and Contractor require?
- Annual checks: Insurance (liability etc.), safety performance

Do

- Induction process
- Contractor management
- Employees
- Sub-Contractors
- Principal Contractor
- Principal Designer
- Notifications to HSE¹
- Appointment letters²
- Company management to sign university code of practice
- Permits to work required
- Certification and competency requirements
- Keeping records of all contractors
- Communication with designers and building contractor
- Adequate welfare facilities on site³
- Construction plan in place and maintained
- Access/work equipment⁴

¹ Notifying construction projects

For some construction work (work lasting longer than 30 days with more than 20 workers working at the same time, or involving 500 person days of work), you need to notify HSE of the project as soon as possible before construction work starts. In practice, you may request someone else to do this on your behalf.

² Appointments

Ensure all required appointments are made in writing and held by the University Contract Administrator.

³ Welfare Facilities

Additional reading – HSE Publication – [Provision of welfare facilities during construction work – CIS59](#)

⁴ Access/Work Equipment

Ensure all access and work equipment is suitable and sufficient. All operatives and training and relevant safe systems of work are in place and risk assessed.

Check

- Onsite
- Sign-in process
- ID badge requirement
- Company ID on display
- Personal Protective Equipment/hi-vis worn when required by risk assessment
- Permits to work
- Employees to sign code of practice document
- Accident/incident reporting procedure^{5, 6}
- Site setup and material delivery
- University staff check on works progress and completion before sign-off
- RAMS adjusted and communicated
- Health & Safety file updated and handed over by Principal Designer or Principal Contractor

⁵ **Accident/incident reporting** All accidents, incidents, near misses and dangerous occurrences must be reported to the University Health and Safety Team via the Contract Administrator

⁶ **RIDDOR** Any RIDDORs must be communicated to the University Health & Safety Team via the Contract Administrator

Act

- Act on findings
 - Workplace inspection by university staff
 - Progress meetings
 - Poor working practice and/or finish
 - Record contractor's overall performance rating
 - Remedial actions taken
 - Under-performing contractor performance dealt with
 - Review
-
- Sign-off when satisfactorily completed
 - Pay invoice
 - Record overall rating of contractor

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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.

This policy will cover the following

- Projects when contractors will undertake alterations to building, infrastructure, external building areas, systems, inspections, isolations, repairs and equipment owned or leased by the university.
- Any project/maintenance where construction, design and management legal requirements must be complied with.
- Notifiable projects.
- Contracted services – term contracts where CDM applies.

At the planning stage and well before prior to engaging contractors to work on the fabric of the building, services or infrastructure please contact Property & Facilities for a discussion and authorisation.

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.

The term **Contract Administrator (CA)** means the member of staff in the School or Service of Edinburgh Napier University who is in control of 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 CA has passed on a copy of the [University's Code of Practice for the Management of University Contractors](#) to the contractor and that the company employees have read, understood, and signed the document accepting the contents. The Dean of School or Director of Service ensure that the CA has made the contractor 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 attend Contract Administrator Training every 3 years. 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. This in turn will make contractors and their staff 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
- DSEAR
- Confined Spaces
- Permit to work system is currently paper based system, moving this to an online system would be a discussion with Property & Facilities and Health & Safety.

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. There will be a role for Principal Designer before site works commence.

Client: The term Client in this case is the University. As the Client, we have a duty to provide the Pre-Construction Information (PCI) about the project, e.g. existing H&S file, site services, drawings, condition surveys, etc. The University will be responsible for submitting any F10's required. The University will ensure that a H&S file is handed over to us at the end of the project.

Principal Designer: Is required to be appointed in writing by the client and must take place as early as possible in the design process and preferably at the concept stage to control the pre-construction phase on projects with more than one contractor. This will enable the Pre-Construction Information (PCI) to be collated in sufficient time for the Principal Designer to carry out their legal duties. The principal designer's main duty is to plan, manage, monitor and coordinate health and safety during this phase, when most design work is carried out but may continue into the construction phase with modifications to designs. The Principal Designer will provide the Client with a schedule of services and resources to indicate how the Principal Designer role will be fulfilled.

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 can comment on RAMS, however, the contractor must have the required competency to produce and follow these RAMS. Contractor's RAMs require to be sent in prior to commencement of any work. A Permit to Work will only be issued once these RAMs have been reviewed.

Contractor/ Sub-Contractor: The contractor has a specific duty, under CDM.

- Plan, manage and monitor all work carried out by themselves and their workers, taking into account the risks to anyone who might be affected by it (including members of the public) and the measures needed to protect them.
- Check that all workers they employ or appoint have the skills, knowledge, training and experience to carry out the work, or are in the process of obtaining them.
- Make sure that all workers under their control have a suitable, site-specific induction, unless this has already been provided by the [principal contractor](#).
- Provide appropriate supervision, information and instructions to workers under their control
- Ensure they do not start work on site unless reasonable steps have been taken to prevent unauthorised access.
- Ensure suitable welfare facilities are provided from the start for workers under their control, and maintain them throughout the work.

In addition to the above responsibilities, contractors working on projects involving more than one contractor must:

- coordinate their work with the work of others in the project team
- comply with directions given by the principal designer or principal contractor
- comply with parts of the construction phase plan (CPP) relevant to their work

Where a contractor is the only contractor working on a project, they must ensure a construction phase plan (CPP) is drawn up before setting up the site.

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 agreement¹) 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 Pre-Construction Information (PCI), 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. Only Property & Facilities should be dealing with Asbestos related projects as they have the necessary experience and industrial contacts to carry out the necessary remedial works. Any School/Service contractors who come into contact with

potential asbestos products must stop work and inform Health and Safety / Property & Facilities immediately.

- 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 & 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. Sufficient time must be given into the planning of these activities. Working with Property & Facilities. Also, ensure that suitable and sufficient detailed RAMS, Safe Systems of Work and suitably trained contractors are in place before work can commence.
- 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 & Facilities (or their appointed agent). No such works will be allowed to commence until approval has been given.
- k) Monitoring contractor performance at appropriate intervals and taking appropriate corrective action where health and safety issues are identified. This requires to be recorded and acted upon if deficiencies/poor performance found.
- 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.
- n) Where any new equipment is installed or existing equipment repaired which requires inspection and testing to meet regulatory requirements, this must be carried out in line with manufacturers and regulatory requirements and recorded.

1. Note: - The relevant compliance framework for contracts must be agreed with procurement to ensure correct contract has been raised.

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.