

Health and Safety at Work

Code of Practice for Contractors

For the undertaking of works and services to the Council

1. INTRODUCTION

- 1.1 Exeter City Council (the Council) requires that all contractors comply with all applicable laws, codes of practice, industry standards and good industry practice pertaining to the works that they provide.
- 1.2 The Health and Safety at Work etc. Act 1974 (The Act) imposes certain duties on Employers, self-employed persons and persons having control of premises to secure the health, safety and welfare of persons at work and for protecting others against risks to health and safety in connection with the activities of persons at work.
- 1.3 The Act is underpinned by numerous pieces of secondary legislation termed 'statutory instruments'. Statutory instruments cover a wide range of subjects including construction safety, asbestos safety, employee welfare, working at height and managing health and safety. For more details visit <http://www.hse.gov.uk/legislation/hswa.htm>
- 1.4 Exeter City Council, in addition to these statutory obligations, has adopted this Code of Practice in order to set and maintain a high standard of safety in its own premises and workplaces under its control.
- 1.5 The following Code of Practice has accordingly been drawn-up in order to acquaint those carrying out work on Exeter City Council property or premises, or carrying out work on behalf of Exeter City Council, with the minimum standard of safety they are required to maintain at all times
- 1.6 This code of practice also identifies prerequisites required of construction industry associated contractors by Exeter City Council before such contractors are permitted to work for and on behalf of Exeter City Council.
- 1.7 The main purpose of this Code of Practice is to ensure that all work is performed in such a manner that equal standards of safety are applied by Exeter City Council employees and contractors alike and in a way that will ensure the safety of all

employees and members of the public. The Code of Practice is **not** to be regarded in any way as relieving Contractors of:-

- statutory obligations;
- the need to carry out their own risk assessments
- their own obligations to manage Health and Safety
- their efforts to avoid accidents.

- 1.7 Neither are they intended to restrict or impede the way in which work is performed. In this latter respect, Exeter City Council feels that if its safety regulations are understood and borne in mind at the planning stage, Contractors will find no difficulty in complying with them.
- 1.8 Exeter City Council therefore looks for the fullest cooperation from all parties involved in the Contract. Therefore, at tender or selection stage Exeter City Council require a copy of the Contractor's Health and Safety Policy, including organisation and arrangements for health and safety.
- 1.9 Evidence of accreditation to one of the Registered Members of HSE's 'Safety Schemes in Procurement' is also required. Details on 'Safety Schemes in Procurement' can be found at website <http://www.ssip.org.uk/>.
- 1.10 For smaller firms, as determined by Exeter City Council, or self-employed contractors, you will need to hold the minimum of an accredited 'safety passport' for your particular trade – for example, IOSH-SPA for general health and safety; CSCS for construction related; GWINTO for gas and water utility contracts; MetSkill for metalworking contracts; SKILLCard for certain engineering contracts; PSIC for docks and quays, or any current accredited passports presented in a combination relevant to the contract, be it a single job or a long term regular contract.
- 1.11 To summarise, you will not be able to work on behalf of Exeter City Council if you do not possess registered membership of a 'Safety Schemes in Procurement' body or, if you are a small contractor as determined by Exeter City Council, or a self-employed individual, a relevant current safety passport. In addition to risk assessments, specific safe working Method Statements may also be required.

2. CONSULTATION PRIOR TO THE COMMENCEMENT

2.1 Before the commencement of any work, a responsible person representing the Contractor must discuss with a representative of Exeter City Council the safety precautions which are deemed to be necessary. This person will usually be the Contract Administrator Exeter City Council. Where appropriate, Sub-Contractors' representatives must be included in that discussion.

2.2 In addition the Contractor must, on commencement of work, report to one or both of the following, or their representatives:-

- Contract Administrator
- Site Manager
- Building Manager

2.4 The Contract Administrator, Site Manager or Building Manager, or in their absence, a Health and Safety Advisor or Official Council Safety Representative, might carry out a site induction checklist prior to works commencing.

2.5 The Contractor should ensure that they:-

- have the site of the operation defined, have carried out risk assessments and produced all necessary Safe Working Method Statements prior to the site induction;
- arrange for supervision of the works sufficient to the nature and duration of the project;
- make all operatives available for site induction;
- are aware of the welfare facilities available for their employees, that these facilities are adequate and have made their employees aware and afforded the use of such
- obtain any special information concerning hazards which may be applicable. In particular they have informed the Contract Administrator of any material brought on site which may cause a hazard to any person along with a current risk assessment and a method statement indicating how harm or injury is to be prevented;

- can suitably protect the site and discharge their duties under Section 3 of the Health and Safety at Work Act and the advice contained in publication 'HSG 151 Protecting the Public' (HSE 2009) <http://www.hse.gov.uk/pubns/priced/hsg151.pdf>
 - have insured with a reputable company against all liability arising out of any loss, damage or injury suffered by Exeter City Council or third party as a result of their (the Contractor's) failure to comply with the terms of the contract or their lack of performance of the contract.
 - Are aware and can explain the emergency evacuation procedures either for their own defined site area, including an enclosed scaffold, or Exeter City Council run site areas.
- 2.6 The precautions required by this Code of Practice and any further precautions which the Contractor or their representative is instructed by Exeter City Council to take, must be fully observed and performed and all materials used must be in a safe condition.
- 2.7 If during the course of the work, the Health and Safety Advisor employed by Exeter City Council or any other Building Control or Council Official observes any disregard of this Code of Practice or of their instructions, or observes any circumstances which may give risk to any danger to life or limb, they will inform the Contractor or their representative who must then comply with these regulations and other safety instructions.
- 2.8 Exeter City Council officials may visit the site to review and monitor health and safety at any time. Photographs may be taken to illustrate good safety compliance. In the case of poor safety compliance the contractors initial evaluation scoring may be reduced, which may affect future contracts with Exeter City Council. (See 'Evaluation Record' example at Appendix I).
- 2.9 The Contractor or their authorised representative will be required to sign the Contract Documents which include this Code of Practice. This signature is deemed to be confirmation that the Code of Practice for Contractors has been received and the conditions are accepted and understood and that the Contractor will ensure that the work undertaken is in accordance with any relevant legislation or approved Codes of Practice issued by the Health and Safety Executive or other authoritative body.

2.10 This document is used as a point of reference for all minor works carried out for Exeter City Council and the Contractor is required to ensure that their Site Supervisors have a current copy available on site, are familiar with its contents and are diligent in complying with the statutory requirements and recommendations shown in the document.

2.11 In particular the Contractor's attention is drawn to the following titles of concern, below in section 3, which are shown in any requirements special to the City Council:

3. MISCELLANEOUS

3.1 Training

In addition to any statutory requirements the Contractor shall ensure that any operative or employee attending on site evidences a minimum basic health and safety training relevant to the work being undertaken on a recognised training course and shall provide evidence of such to the Contract Administrator. Details of specific training may be required in addition to registered membership of a 'Safety Schemes in Procurement' body or accredited safety passports already mentioned in section 1.8 and 1.9. With specific reference to asbestos, all construction related contractors will be required to evidence having undertaken Asbestos Awareness Training initial course, or evidence refresher training as part of regular review of training, prior to commencement of contract.

3.2 Accidents and Injuries

In addition to the requirements of the RIDDOR Regulations 2013 (or subsequent amendment) all accidents, however trivial, must be recorded by the Contractor and the records made available for inspection by the Council's Health and Safety Advisers. Any fatality or dangerous occurrence on site must be notified firstly to the HSE and then without delay to the Contract Administrator who will advise the Council's Health and Safety Adviser.

3.3 First Aid

The Contractor will be responsible for minimum provision of first aid from their assessment of first aid needs. Guidance on assessment of first aid needs is given in

Appendix 1 of the HSE Approved Code of Practice 'First Aid at Work' (*reference L74, 2009*)

3.4 Fire Precautions

Contractor's will ensure fire precautions are undertaken in their work processes to prevent or reduce the likelihood of a fire breaking out and if a fire does occur, to reduce its spread and intensity.

Where required fire and explosion precautions will be defined in risk assessment control measures – for example, COSHH Assessments and DSEAR Assessments.

A Permit to Work is required from the Building Manager, or other appointed Council Official, before **any** hot-work is undertaken in operational Council buildings or any other assets owned by the Council.

3.5 Sub-Contractors

Where a Contractor uses a Sub-contractor to fulfil their or part of their role under this contract they must inform the Contract Administrator prior to commencement of these elements of Work.

The Contractor will ensure that any Sub-contractor is made aware of and fully understands the contents of this Code of Practice.

3.6 Site requirements

Contractors are responsible for the provision and display of appropriate site or work area health and safety signage. Where CDM applies, this is the responsibility of the Principal Contractor.

Where contractors are responsible for sites under CDM, they are required to ensure suitable and sufficient site security to prevent trespass. While working within any Council premises, Contractors are responsible for maintaining work zone security to

prevent trespass – this includes operational buildings, public buildings and domestic social housing.

Contractors are responsible for a well ordered site, or work zone, to ensure slips, trips and fall risks from hazards such as trailing cables, storage of materials etc. are controlled.

4 ACKNOWLEDGEMENT OF THIS CODE OF PRACTICE

- 4.1 All Contractors or their senior representatives are required to complete and sign the Contract Documents provided by the Contract Administrator or Project Coordinator and by so doing is acceptance of being aware of and confirmation of compliance with this Code of Practice and their statutory obligations under health and safety law.
- 4.2 A Checklist for Site Induction will be completed by an Exeter City Council representative before work commences. The Checklist for Site Induction is shown at Appendix II.

5 Right of Access

- 5.1 At each site covered by this Code of Practice the Contract Administrator, Contract Surveyors, specialist officers and Exeter City Council's Health and Safety Team shall have right of access at all reasonable times while works are being carried out.
- 5.2 Where there is non-compliance to safe working practices on the site, the Health and Safety Team shall have right of access at all reasonable times while works are being carried out.
- 5.3 Much of Exeter City Council work is to occupied, tenanted properties. Tenants, including children and the elderly, may have access to dwellings and adjacent gardens during the course of the works. Particular regard must be given to avoiding nuisance due to dust and noise and to planning and operating scaffolds so as to prevent unauthorised access by tenants or their children.

- 5.3 Appropriate measures must be taken to prevent any risk or injury to tenants and members of the public who may have access to dwellings or adjacent property.

APPENDIX I

CONTRACTOR SITE SAFETY MONITORING SAMPLE EVALUATION RECORD

Contractor:

Site:

Duration:

Contractors Safety Policy (at Tendering Stage) Acceptable / Not Acceptable

Scoring A – Good B – Satisfactory C – Poor

Initial scoring may be reduced if random sample inspections by ECC officials reveal failing site management of H&S. This may affect future contracts with ECC.

Safety Awareness Score (A, B, C)

- 1. Management
- 2. Staff

Safety on Site

- 1. Safety Officer Yes / No
- 2. Safety Representative Yes / No

Item:	Score	Comments
Scaffolds		
Plant and Machinery		
Excavations		
Site Protection		
Working Practices		
Safety Equipment		
Protective Clothing		
Permits to Work		
Supervision		
First Aid		
Fire Precautions		
Hazardous Materials		
Documentation		

Evaluated by (Name)

Date

APPENDIX II



CHECKLIST FOR SITE INDUCTION

Site rules to be discussed with contractors and sub-contractors BEFORE they commence work.

Site: _____ Contractor: _____ Job: _____
 Date: / /

No.	Items Covered	Yes	No
1	Provide details of who is the ECC Site Manager, site H&S Representative and any other supervisors.		
2	Name contractors site supervisor?		
3	Explain site access arrangements such as signing daily site register and pedestrian routes on site.		
4	Traffic; explain speed limits and parking areas.		
5	Have you shown the person where the amenities including toilets, mess room and drinking water are located?		
6	Have you explained the site health and safety rules (inc smoking, food and drink, litter, tidy workplace)?		
7	Have you explained the site security procedures and pointed out any restricted areas on site?		
8	Is the contractor to bring any sub-contractors to site? (Please provide details and confirm necessary documents received overleaf)		
9	Method statements and risk assessments for the tasks are agreed with ECC and understood by workers?		
10	Is there any asbestos in the proposed work area? Consult asbestos management plans or asbestos survey report (Please provide details overleaf)		
11	Explain procedures for reporting incidents, injuries and hazards? Near misses must also be reported.		
12	Are there any specific site risks, such as flammable substances, deep water, slip/trip hazards?		
13	Have you established the competencies and qualifications of the persons?		
14	Have the persons been trained to set up and use any specialised equipment that is required?		
15	Is site demarcation required and/or signage?		
16	Will these works conflict with any other site work or operation? (Please provide details overleaf)		
17	Fire; show persons how to activate alarm and what it sounds like, where all relevant fire fighting equipment is located? For example, fire extinguishers, hose reels etc.		
18	Have you shown the persons what to do in an emergency and identified the location of the:- (a) Assembly point and evacuation route? (b) Closest medical facility? (c) Contact details of emergency services? (d) Provisions of emergency communications? (e) The location of the first aid facilities/kits? (f) Who the first aiders are and how to obtain treatment?		
19	Are any high risk activities to be carried out? Hot works, working at heights, confined spaces, live electrical, overhead cables, excavation, work on pipe lines or pressure vessels, certain lone working situations. If so a Permit To Work may be required.		
20	Do the persons have the correct PPE available? Minimum requirements? (a) Hard hat (b) Safety glasses (c) Safety footwear (d) Hearing protection (e) High visibility vest (f) Other (Please provide details overleaf)		

No.	Items Covered	Yes	No
21	Will any smoke, dust or noise (radio) be generated? (Please provide details overleaf)		
22	All equipment brought to the site is tested as necessary e.g. PAT, electrical equipment is 110v max, ladder checks.		
23	Safe storage of hazardous equipment (ladders etc)		
24	COSHH, any chemicals or substances used or brought to site? (Please provide details overleaf)		
25	Is there any waste to be generated, if so how is it to be disposed? (Please provide details overleaf)		
26	Give opportunity to ask questions about responsibilities and to have any issues clarified?		
27	Ensure contractors know they must inform the Contract Administrator of any change of plan to work methods that might arise as a necessity.		

Additional Information:-

To be signed by all operatives:

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APPENDIX III DECLARATION

EXETER CITY COUNCIL DECLARATION

I/We hereby

- a) Agree to comply with the above “Health and Safety Code of Practice for Contractors”.
- b) Confirm that all responsibility under legislation referred to or otherwise will be fulfilled.

Name

Position

For and on behalf of

Date

This declaration should be signed by or with approval of a Director/Partner.