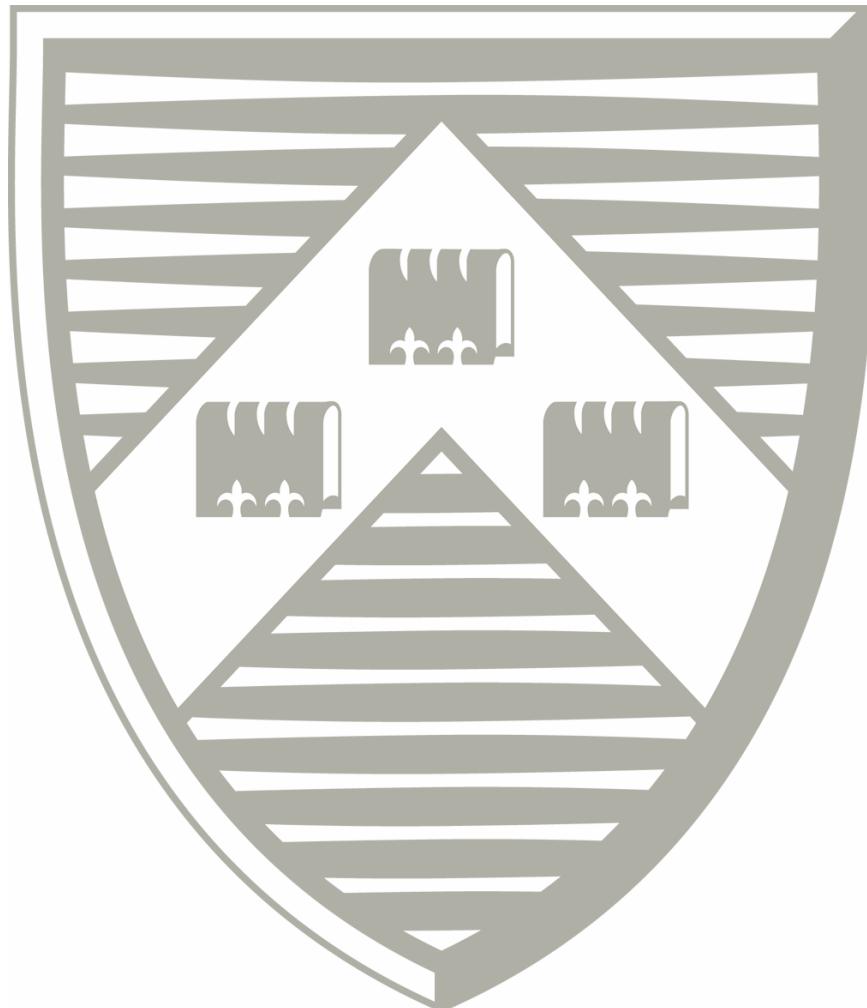




## The Workplace Health and Safety Office



# UNIVERSITY POLICY AND MANAGEMENT PROCEDURE

## Management of Contractors

## **Statement**

*This Management Procedure was approved and authorised by the Health, Safety and Welfare Committee (now Workplace Health and Safety Committee) on **16 November 2007** on behalf of the University Council and forms part of the Health and Safety Policy of the University of York.*

*This document is a Management Procedure for good health and safety management practice. This Management Procedure provides Deans of Faculty, Heads of Departments, Heads of College and all managers, staff and students with the necessary information to incorporate healthy and safe practices and relevant procedures into their activities. Divergence from this Management Procedure may result in Deans of Faculty, Heads of Departments, Heads of College and the University being exposed to possible legal proceedings.*

*The use of this Management Procedure and the incorporation of its requirements into working practices and activities will ensure that the University and its community achieves compliance with its legal duties with regards to health and safety.*

*The most recent version of this Management Procedure is available at <https://www.york.ac.uk/admin/hsas/safetynet/atoz.htm>.*

<i>Date of Review</i>	<i>October 2023</i>	<i>By The Director of Health and Safety</i>
<i>Date of Last Review</i>	<i>December 2019</i>	<i>By The Director of Health, Safety and Security</i>
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## **UNIVERSITY POLICY**

### **1. INTRODUCTION**

The University of York (University) acknowledges and accepts its statutory responsibilities for securing and maintaining the highest standards of health, safety and welfare for all who are directly employed or contracted to work within any University premise.

Where the University is the controller of premises on the estate, it has a statutory duty to ensure, so far as is reasonably practicable, the health, safety and welfare of all its employees, students, and further, to take necessary actions to ensure our activities do not endanger others, including contractors and others who may undertake work on or visit any University premises.

All those responsible for engaging contractors and all contractors undertaking work at the University will conform to the provisions of this University Policy and Management Procedure. Observation of this University Policy and Management Procedure does not in any way relieve contractors of their own statutory and other contractual obligations.

University Staff and Contractors are reminded that all legal duties and responsibilities cannot be delegated by contract. This University Policy and Management Procedure does not alter the terms and conditions of the University purchase order or exempt contractors from the duties placed on the employers and employees to comply with the **Health and Safety at Work etc. Act 1974** nor any associated legislation, but it is intended to assist University staff and contractors in attaining compliance with the law.

Any reference to appropriate Government legislation is to the most recently published version.

### **2. ACKNOWLEDGEMENT**

Contractors are required to sign the acknowledgement slip of the 'Code of Conduct for Contractors working on behalf of the University' and return it to the University or other addressee as may be directed (Appendix 2).

Contractors are required and will be deemed to have included copies of the Code of Conduct in any subcontract let by them and shall make compliance with this University Policy and Management Procedure a condition of any such sub-contract. It should be noted that contractors shall not sublet work without the expressed written permission from the University.

### **3. DEFINITIONS**

**'Company'** - means the "University".

**'Contractor(s)'** - means any organisation, company, firm, person or persons appointed to undertake work on behalf of the University.

**'Employing Manager'** - means any employee or individual authorised by the University to procure or instruct contractors to undertake work at the or for the University.

**'Estates Work'** - means any work impacting on the building fabric, grounds or infrastructure services, regardless of the size or nature of the work. Any work that involves breaching the University's building fabric, grounds or infrastructure must be authorised by the Director of Technology, Estates and Facilities or their nominee. Authorisation for such work will only be granted when the employing manager can demonstrate compliance with Estates Services, Contractor Management Process. Many types of Estates Work carried out by contractors will fall within the scope of the **Construction Design and Management Regulations (CDM)**, which will require additional arrangements and appointments to be made.

**'Construction Work'** - means the carrying out of any building, civil engineering or engineering construction work and includes:

- 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), decommissioning, demolition or dismantling of a structure;
- 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;
- the assembly on site of prefabricated elements to form a temporary, or permanent structure or the disassembly on site of the prefabricated elements which, immediately before such disassembly, formed a structure;
- the removal of a structure, or of any product or waste resulting from demolition or dismantling of a structure, or from the disassembly of prefabricated elements which immediately before such disassembly formed such a structure;
- the installation, commissioning, maintenance, repair or removal of mechanical, electrical, gas, compressed air, hydraulic, telecommunications, computer or similar services that are normally fixed within or to a structure.

**'Principal Contractor'** - is a contractor appointed by the Client to manage the construction phase on projects with more than one contractor. The Principal Contractor's main duty is to plan, manage, monitor and coordinate health and safety during this phase, when all construction work takes place. **These duties fall to the University where a Principal Contractor has not been appointed and will need to be discharged by the Employing Manager on behalf of the University.**

**'Principal Designer'** - is the designer appointed by the Client to control the pre-construction phase on projects with more than one contractor. 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. **These duties fall to the University where a Principal Designer has not been**

**appointed and will need to be discharged by the Employing Manager on behalf of the University.**

**'Designer'** - is the organisation or individual whose work involves preparing or modifying designs, drawings, and specifications, bills of quantity or design calculations. Designers can be architects, consulting engineers, and quantity surveyors, or anyone who specifies and alters designs as part of their work. They can also include tradespeople if they carry out design work. The Designer's main duty is to eliminate, reduce or control foreseeable risks that may arise during construction work, or in the use and maintenance of the building once built. Designers work under the control of a Principal Designer on projects with more than one contractor. **The University will be considered a designer when specifying requirements of work.**

#### **4. ROLES AND RESPONSIBILITIES**

##### **4.1 Employing Manager**

Employing Manager are responsible for:

- Making sure suitable arrangements are in place for all work, ensuring consideration has been given to the relevant Health and Safety Regulations and University Policy. They must ensure the work is suitably planned, managed, and monitored to protect the health, safety, and welfare of all who may be affected by the work, including University students, staff and members of the public;
- For authorising all contractor work activities once they are satisfied they have been adequately risk assessed and consider the Health and Safety arrangements are suitable and sufficient;
- Employing Managers are accountable to their Head of Department (HoD), who has responsibility for departmental undertakings, including control and management of health and safety for all work activities.

Employing Managers shall be responsible for ensuring that their contractors have:

- Provided a written risk assessment and method statement identifying protective and preventive measures;
- Have made arrangements for all workers to be provided with a suitable induction;
- Complied with the University's 'Permit to Work' system;
- Provided documentary evidence of adequate insurance cover to indemnify the University, including where appropriate for any 'Hot Work';
- Signed and returned the Acknowledgement Slip available within the University Policy and Management Procedure and supporting papers etc. prior to the commencement of any work activities;
- Have in place adequate arrangements to supervise and monitor compliance with agreed health and safety arrangements;
- Be adequately trained in the tasks they will be required to perform and have received an induction to the University;
- Received sufficient information with respect to any foreseeable risks or hazards they

- may be exposed to;
- Made suitable provision for emergency arrangements;
- Ensured that there are adequate arrangements for coordinating and communicating between all parties involved in the work.

In addition, if undertaking Estates Works:

- Evidence of valid registration with an appropriate pre-qualification and approved professional body. This typically involves contractor accredited schemes associated with Safety Schemes in Procurement (SSIP) including the following examples:
  - SAFE Contractor Accreditation Scheme;
  - The Contractors Health and Safety Assessment Scheme (CHAS).
- For more information visit <http://ssip.org.uk/members/>
- Completed the Contractor Induction Briefing and assessment (at Dalham Farm or agreed location by prior arrangement);
- Signed acceptance of the University's Site Rules;
- That all operatives involved in undertaking the Estate Work have undertaken UKATA (or equivalent) accredited asbestos awareness training within the previous 12 months;
- That all operatives undertaking self-isolation of low voltage electrical equipment are certified as competent persons by the Estates Services Electrical Engineer;
- Identifying, collecting and co-ordinating pre-construction information;
- That they have issued an Estates Services contractor job ticket authorising the work detailing any additional competency requirements required by the operatives carrying out the work;
- Where applicable, notifying the relevant Enforcing Authority or Building Control Authority of the nature of the work, ensuring that such notifications are completed in a timely and appropriate manner. Copies of such notifications/approved will be displayed at the main contractor control point (site office);
- Co-ordinating health and safety aspects of design work and co-operating with others involved with the work;
- Facilitating good communication between the University, Designers, Contractors, and sub-contractors;
- Liaising with the Principal Contractor regarding ongoing design and progress of the work/construction work.

#### **4.2 Principal Designer**

When undertaking construction work involving more than one contractor a Principal Designer must be appointed in writing.

The role of the Principal Designer is to:

- Plan, manage, monitor and coordinate health and safety in the pre-construction phase. In doing so they must take account of relevant information (such as an existing

- health and safety file) that might affect design work carried out both before and after the construction phase has started;
- Help and advise the client in bringing together pre-construction information, and provide the information designers and contractors need to carry out their duties;
- Work with any other designers on the project to eliminate foreseeable health and safety risks to anyone affected by the work and, where that is not possible, take steps to reduce or control those risks;
- Ensure that everyone involved in the pre-construction phase communicates and cooperates, coordinating their work wherever required;
- Liaise with the principal contractor, keeping them informed of any risks that need to be controlled during the construction phase.

**If no appointment is made these duties fall to the University and are to be discharged by the Employing Manager.**

#### **4.3 Principal Contractor**

When undertaking construction work involving more than one contractor a Principal Contractor must be appointed in writing.

The role of the Principal Contractor is to:

- To plan, manage and monitor the work in liaison with all contractors;
- Prepare, develop and implement a written construction phase plan and site rules (initial plan completed before the work/construction phase begins);
- Provide contractors with the relevant parts of that plan and how it relates to their activities;
- Ensure that suitable welfare arrangements are provided at the start and are maintained throughout the work/construction phase;
- Check the competence of all appointees and maintain records of competency;
- Ensuring that all workers receive suitable induction training and any further information and training to ensure safe and healthy working;
- Ensuring appropriate records of any training and information for workers is maintained up-to-date and available to the University upon request;
- Consulting with workers;
- Liaising with the Employing Manager regarding ongoing design and progress of the project/construction work;
- Ensuring that the project site boundary is maintained securely at all times to prevent unauthorised access.

**If no appointment is made these duties fall to the University and are to be discharged by the Employing Manager.**

#### **4.4 Contractors**

Contractors are responsible to their relevant Employing Manager. Contractors shall comply

with current legislative requirements, good practice and industry standards, contractual terms and conditions; and University Policy and Management Procedures.

The role of the Contractor will include:

- Not undertaking any works at the University without the express authority of the Employing Manager and/or Principal Contractor;
- Booking on and off-site in line with arrangements specified by the Employing Manager;
- Provide risk assessments and method statements prior to undertaking work to their respective Employing Manager and Principal Contractor;
- Co-operating with the Employing Manager and Principal Contractor in planning and managing work, including reasonable directions and site rules.

When undertaking Estates Works Contractors must:

- Book on and off-site;
- Keep their University contractor ID passes on their person at all times when on-site, and surrender their passes to any member of University staff for inspection upon request;
- Provide details to the Employing Manager and/or Principal Contractor of any subcontractor who is engaged;
- Ensure all employees have attended the Contractor Induction Briefing and assessment online before attending site and signed the University's Site Rules;
- Bring to the attention of the Employing Manager and/or Principal Contractor any problems with the work or construction plan;
- Inform the Employing Manager and/or Principal Contractor of all injuries, incidents including near misses, reportable accidents, diseases and dangerous occurrences in a timely manner.

## **ARRANGEMENTS**

### **5. SAFE SYSTEMS OF WORK**

A permit-to-work (PTW) system is a formal written system used to control certain types of work that are potentially hazardous. A PTW is a document that specifies the work to be done and the precautions to be taken. PTW's form an essential part of safe systems of work for many maintenance activities.

This PTW shall be issued by an Approved Person (AP) who has been formally designated responsible for establishing the necessary safety controls. This may be the Employing Manager or in some cases the Principal Contractor. The person in charge of the working party shall be competent to sign acceptance of the PTW, and no person shall commence the work activity without this PTW. On completion of the work, the person in charge of the working party shall sign clearance of the PTW to declare the work and situation have been left in a safe condition.

The PTW will determine the nature and extent of any isolation or physical controls, the equipment, the timing and extent of the work, the number of people involved with the work activity and the duties of those in attendance and any identified emergency arrangements and procedures.

The issue of a PTW shall not be regarded as a mere formality. It will not be issued until and unless an AP is satisfied that all necessary preliminary safety precautions are in place. The authorisation, receipt, clearance and cancellation arrangements in place shall be strictly adhered to.

Further details of how to obtain a 'permit to work' are detailed in Appendix 1 to this Management Procedure.

### **5.1 Insurance Arrangements**

Contractors shall take out and maintain suitable and sufficient insurances to comply with the **Employers' Liability (Compulsory Insurance) Act 1969** and the **Employers' Liability (Compulsory Insurance) Regulations 1998** or any subsequent amendment and Public Liability Insurance being insured for a minimum of **£5 million pounds** in respect of claims arising out of any one occurrence. The contractor shall, if requested to do so by the Project Manager or Principal Contractor, provide a copy of their Certificates of Insurance.

Contractors shall be liable for and shall indemnify the University against any expense, liability, loss, claim or proceedings whatsoever, arising under any statute or common law in respect of personal injury or death of any person whomsoever or any damage to property or any damage to any real or personal property arising out of or in the course of, or caused by the carrying out of works, except to the extent that the same is due to any act or neglect of the University.

### **5.2 Confidentiality Acknowledgement**

Contractors shall accept, by signing the acknowledgement for this University Policy and Management Procedure, that no employee of, or person controlled by, their organisation may use any information which comes into their possession as a result of any University contract, directly or indirectly, for their personal gain or their employees have information gained deliberately or by accident, which could be described as 'inside information' and pass it on to others, they may be committing an offence.

**Appendix 1**  
**University Policy and Management Procedure**  
**Control of Contractors**  
**Permits to Work**

Permit Type	Description	Authorised Person
<b>Hot Work</b>	<p>Examples of hot work include but are not limited to Gas welding/Brazing/Cutting, Electric welding, Soldering, Blowlamps, Electrically powered hot air guns, Bitumen Boilers, Grinding and Cutting and any other equipment that produces sparks or a naked flame. These activities can only be undertaken by suitably trained individuals in receipt of a Hot Works permit.</p> <p>For more information see UoY Policy and Management Procedure: Hot Works.</p>	<b>University Fire Safety Officer</b>
<b>Confined Spaces</b>	<p>Permanent confined spaces are defined as a place which is substantially enclosed (though not always entirely), and where serious injury can occur from hazardous substances or conditions within the space or nearby (e.g. lack of oxygen). Only suitably trained individuals in receipt of a confined space permit are permitted to access these spaces.</p> <p>Potential confined areas include spaces such as plant rooms, roof voids and undercrofts. A Standing Instruction is required prior to any access being gained into these areas.</p> <p>For more information see UoY Policy and Management Procedure: Confined Spaces.</p>	<b>Estates Policy and Assurance Team</b>
<b>High Voltage Electrical Systems</b>	No person is permitted to work on any HV electrical equipment unless they are in possession of an HV Permit and Switching Schedule. For more information contact the Authorised Person.	<b>Estates Electrical Engineer</b>
<b>Low Voltage Electrical Systems</b>	<p>A permit to work is required when an Authorised Person isolates for a Competent Person to work on the low voltage electrical infrastructure.</p> <p>For more information see UoY LV Safety Rules.</p>	<b>Estates Electrical Engineer</b>
<b>Excavations</b>	Excavations include any man-made cut, cavity, trench, or depression formed by earth removal and perforations through floors, walls, and ceilings where there is a possibility of contacting hidden services, or asbestos. These activities can only be undertaken by suitably trained individuals that are in receipt of a 'Permit to Excavate'.	<b>Estates Building Manager</b>

**Appendix 2**  
**University Policy and Management Procedure**  
**Control of Contractors**  
**Return Acknowledgement Slip**

We acknowledge receipt of and will abide by the University's Policy and Management Procedure – Control of Contractors.

<b>Signed</b>		<b>Date</b>
<b>Name &amp; Position</b>		
<b>Company Name</b>		
<b>Address</b>		

If required, further copies of this University Policy and Management Procedure can be obtained from the University.

This acknowledgement slip shall be completed by contractors prior to any work activity being undertaken and returned to the Project Manager or Principal Contractor or other addressee as may be directed.