

CORPORATE HEALTH AND SAFETY MANAGEMENT ARRANGEMENT – CMAXXX

HEALTH AND SAFETY REQUIREMENTS FOR THE SELECTION AND MANAGEMENT OF CONTRACTORS FOR PROVISION OF GOODS AND SERVICES –GS

Introduction - Contracts for Goods and Services

Contracts for goods and services can cover a wide range of different contracts encompassing any activity, which is not undertaken by CCBC but instead is bought in. Common examples of contracts for goods and services would include provision of transport, social care, legionella testing, various types of surveys (e.g. noise, vibration, asbestos, glazing), I.T. software and training contracts.

This document is intended as a generic management arrangement for the commissioning and management of contractors for goods and services. It does not take into account industry specific requirements, e.g. food hygiene and British Standard requirements.

This note only covers the internal client responsibilities and how they split within the authority. Depending on how goods and services are commissioned these responsibilities are split in different ways. This note does not cover other roles that may be undertaken e.g. designer responsibilities.

The issue

Caerphilly County Borough Council (CCBC) has health and safety responsibilities for contractors engaged to carry out work on its behalf. Although the traditional view of a contractor is someone who undertakes work such as high risk construction projects, contractors need not only be engaged in construction work but are also the people and companies that are commission for the provision of goods and services, and it is just as important that these people are selected, managed and evaluated properly. For guidance on how to select a contractor for construction work please see H&S Management Arrangement sheet GS xxx.

The issue is bigger than simply selecting the best value competent contractor. Health and safety legislation requires the Authority to ensure that contractors are provided with the correct health and safety information, that correct documentation is in place, that risks are adequately assessed and controlled, and that the service provided is adequately managed and supervised.

There are different responsibilities for the selection and management of contractors placed on different individuals and departments, depending on how the contract is tendered for and awarded.

N.B. This guidance only covers what is required to comply with Health and Safety law and does not cover other legal or internal requirements i.e. Financial and Standing Order regulations.

Who is the Client?

Ultimately the Client is the Authority, however on a day to day basis the internal client is the person, department or section within the Authority for whom the goods and/or service is provided. The internal client has specific responsibilities when selecting and managing contractors, regardless of the method chosen to do this (see below and appendices [1](#), [2](#) and [3](#)). Part of the internal clients responsibility is to check that arrangements are in place that ensure the Authority meets its legal duties as the 'client'.

How do I select and manage a contractor?

There are three ways in which a contractor can be commissioned to provide goods and services:

1. [The internal client tenders for and commissions the goods or service themselves](#) (appendix 1) Where the internal client takes on these roles the internal client must satisfy themselves that they are competent to do so.
2. [Procurement tenders for and commissions the goods or service on behalf of the internal client](#) (appendix 2)
3. [Technical Services e.g. Building Consultancy, Housing Technical tenders for and commissions the goods or service on behalf of the internal client](#) (appendix 3)

The way in which the contract is commissioned directly affects who holds the positions of responsibility during the contract. The people who hold these responsibilities are known as Competent Officers.

Competent Officers

The term 'Competent Officer' means the officer who has the necessary training, expertise, qualifications and/or experience to safely select and/or monitor and manage the contract. This will vary from contract to contract depending on the nature of the goods or service being obtained. For large, complex and/or high risk contracts this may be a team of people rather than an individual.

There are 2 Competent Officer roles: the Competent Officer who commissions the goods/service and the Competent Officer who manages and supervises the goods/service. One person may take on both roles.

The Competent Officer who commissions the goods/service may be:

- The internal client themselves
- Procurement Services where the client engages the expertise of Procurement Services to procure the goods/service.
- Building Consultancy / Housing Technical / Engineering / Highways etc where the client engages the expertise of these services to commission the goods/service.

The competent officer who manages and supervises the goods/service may be:

- The internal client themselves
- Building Consultancy / Housing Technical / Engineering / Highways etc. where the client engages the expertise of these groups to manage the service. Where this occurs the internal client needs to ensure that arrangements are in place for the management and supervision to occur and should seek clarification from the service area as to exactly what level of management and supervision they will receive for the fee. In these circumstances the internal client still retains responsibility for basic on site health and safety monitoring e.g. ensuring that the contractors activities does not adversely impact the health and safety of staff or others.

The Competent Officer who managed and supervised the service must also review the contract at completion.

Where Procurement is used the service only takes on the role of a commissioner the responsibility for managing and supervising the service falls back on to the internal client(s). However Procurement will become involved, where requested, if issues arise.

You can find details in the appendices below on the responsibilities for selecting and managing contractors for each of the three options.

The legal position

The Health and Safety at work, etc Act 1974, Section 2 requires the Authority to ensure the health, safety and welfare of their employees. Section 3 requires the Authority to ensure the health, safety and welfare of individuals not in their employment. The Management of Health and Safety at Work Regulations 1999 set out the requirements for a health and safety management system and this includes the steps needed to manage safety when engaging a contractor.

Further information

The HSE have produced a very good leaflet entitled Use of Contractors – A Joint Responsibility. This is available free from HSE books on 01787 881165 quoting reference INDG368. Copies of the leaflet can also be downloaded from HSE's website at www.hse.gov.uk/pubns/indg368.pdf

If you have any queries regarding your responsibilities please contact your Directorate Health and Safety Officer immediately.

The Health and Safety Requirements for the Selection and Management of Contractors:

Where contracts for goods and/or services are tendered for, commissioned, managed and supervised by the Internal Client

The Internal Client is the [Competent Officer who commissions the goods or service](#) and the [Competent Officer who manages and supervises the](#) contract.

N.B. Where the Internal Client is to tender for, commission, manage and supervise the contract they must ensure that they are competent to do so

Commissioning the goods/service

As the Competent Officer who commissions the goods or service, the internal client will:

- Ensure contractors are provided with a copy of the *Health and Safety Policy for the Selection, Monitoring and Management of Contractors (should this just be an information sheet for provision of goods?)* and are aware of their responsibilities under it
- Ensure that the contractor is provided with details of all aspects of the goods/service required (put together the specification for work) including required standards if applicable (e.g. legislative requirements, BS EN standards)
- Ensure that adequate time and budget is allowed for the provision of goods/services to be carried out in a safe manner, including adequate time for planning if appropriate
- Ensure that only contractors who can demonstrate their health and safety competence are engaged to undertake activities on behalf of the Authority (see Guidance Note for the Selection of Contractors GS?????). Ensure that a record is kept of any documentation obtained
- Consider any service where contractors may come into contact with children or vulnerable adults. Ensure the necessary checks have been carried out and carry out a risk assessment as to the suitability of the contractor working where they may come into contact with children or vulnerable adults where necessary. The Authority reserves the right to refuse deployment of any individual used by the contractor who does not meet the appropriate criteria
- Notify the relevant Directorate Health and Safety Officers of certain services (to be defined by local directorate arrangements) to enable the Directorate Health and Safety Officers to carry out audits on contractors' health and safety performance. This will only occur on a percentage of those notified and not on all contracts

- Ensure any information likely to affect the health and safety arrangements for the contract or information on any inherent health and safety risks that may affect their work activity or the health and safety of their personnel (e.g. special needs of clients, access information) are provided to the contractor in writing. This should be given in sufficient time to allow the contractor to formulate method statements, risk assessments, safe systems of work and if necessary health and safety plans to address the issue. Information provided by the internal client may include; risk assessments, contact details for the internal client, site specific arrangements/emergency arrangements, any applicable policies and procedures

Managing and supervising the service

As goods can be provided without a service the following is only applicable where a service is provided with or without goods.

As the Competent Officer who monitors the service, the internal client will:

- Ensure the contractor is aware of their responsibilities under the Health and Safety Policy for the Selection, Management and Monitoring of Contractors.

Additionally for services:

- Obtain and evaluate site-specific risk assessments and method statements, and agree with the contractor how the provision of services is to be carried out and the necessary precautions to be taken. This needs to be undertaken before the contract commences, and if changes occur at any point during the contract. Ensure that the work undertaken by sub-contractors is considered and included
- Ensure that all appropriate health and safety documentation e.g. risk assessments, care plans, method statements and health and safety plans are received and approved prior to the provision of goods/service commencing, and if changes occur at any point during the contract
- Pass details of any health and safety risks and control measures notified to them by the contractor to the Line-Manager of any Authority employee who may be affected by the risks.
- Ensure that adequate time is allowed for the service to be carried out in a safe manner, including adequate time for planning if appropriate.
- Ensure there are appropriate liaison arrangements in place to allow co-operation between all parties involved and to allow clarification and confirmation of health and safety arrangements. This may take the form of regular meetings or briefings. Records of all health and safety information exchanged between the Competent Officer and contractor in relation to each contract must be kept for legislative, contractual and quality reasons, including the notes of any meetings held

- Ensure that processes are in place to facilitate the passing of further documentation between parties if the situation changes. Any changes should be agreed by all parties and reflected in updated documentation
- Arrange for reasonable supervision of the provision of service and take appropriate action if hazards or unsafe practices arise from the contractors' work activities. How often and what level of supervision/management is required will vary depending on the contract, what service is being provided and the associated risk, and needs to be decided at the start of the contract. On contracts lasting for more than 12 months formal monitoring and review meetings must take place at a frequency dependant on the risk of the contract but not less than every 12 months.
- Make informal checks on the contractor's performance to ensure that work is being done in accordance with documentation. Records of any visits and checks should be kept
- Bring any breaches of health and safety law or agreed safe working practice to the attention of the contractor, take immediate steps with the contractor as required to resolve the issues, and ensure records are kept in order to improve management of contractors at local level. You may wish to contact your Directorate H&S Officer for advice.
- Stop the contractors working immediately where they witness activities that pose a serious and imminent danger to the health and safety of the contractor's employees or others. Where this occurs details of the incident must be recorded.

Reviewing the contract

As the Competent Officer who monitors the service, the internal client will, on completion of the service or end of the contract period:

- Review the planning, choice of contractor and health and safety management of the contract
- Ensure a written record of this review is maintained
- Ensure all relevant documentation is provided by the contractor e.g. electrical test certificates, survey reports, training records
- Where the contract is let for services over extended periods of time it is recommended that the client holds regular review meetings, at which Health and Safety must be discussed
- Where serious issues arise within the contract and the internal client is of the opinion that using this contractor again would pose a risk to the Authority details, in writing, should then be passed onto Procurement, Building Consultancy (and other Technical Depts.) and your Directorate H&S Officer.

- Where applicable, provide feedback on the contractor's performance back into the Authority's contractor's database.

APPENDIX 2

The Health and Safety Requirements for the Selection and Management of Contractors:

Where contracts for goods and/or services are tendered for and commissioned through Procurement Services

Procurement Services is the Competent Officer who commissions the goods/service. The internal client is the Competent Officer who manages and supervises the goods/service

Commissioning the goods/service

Procurement will, on behalf of the Internal Client:

- Advise and assist the Internal Client in compiling the specification for work
- Ensure that only contractors who can demonstrate their health and safety competence are engaged to undertake activities on behalf of the Authority. In the case of goods they will ensure that the goods meet requirements specified within the tender.
- Once notified by the Internal Client of any service where contractors may come into contact with children or vulnerable adults, ensure the necessary checks have been carried out. The Authority reserves the right to refuse deployment of any individual used by the contractor who does not meet the appropriate criteria
- Obtain and ensure evaluation of generic risk assessments and method statements and agree with the contractor how the contract for service is to be carried out and the necessary precautions to be taken. Ensure that the work undertaken by sub-contractors is considered and included.
- Pass details of any health and safety risks and control measures notified to them by the contractor to the internal client.
- Obtain and pass to the contractor details of any health and safety risks and control measures notified to them by the internal client.
- Ensure contractors are provided with a copy of the *Health and Safety Policy for the Selection, Monitoring and Management of Contractors*.
- Ensure copies of all documentation acquired during the selection process are kept and copies also provided to the Internal Client in order to allow sufficient management and supervision of the contract

The involvement of Procurement Services with regards to health & safety ends once the contract has been awarded, except to review contracts where issues arise.

The internal client will:

- Ensure that adequate time and budget is allowed for the provision of goods/services to be carried out in a safe manner, including adequate time for planning if appropriate
- Ensure that the contractor is provided with details of all aspects of the goods/service required (put together the specification for work) including required standards if applicable (e.g. legislative requirements, BS EN standards)
- Carry out a risk assessment as to the suitability of the contractor working where they may come into contact with children or vulnerable adults, where necessary.
- Ensure any health and safety information likely to affect the health and safety arrangements for the contract or information on any inherent health and safety risks that may affect their work activity or the health and safety of their personnel are provided to the contractor in writing via Procurement. This should be given in sufficient time to allow the contractor to formulate method statements, risk assessments, safe systems of work and if necessary health and safety plans to address the issues. Information provided by the internal client may include; risk assessments, contact details for the internal client, site specific arrangements/emergency arrangements, any applicable policies and procedures
- Depending on the risks involved, obtain and evaluate risk assessments and/or method statements specific to the service to be provided. Assistance may be required from the Directorate Health and Safety Officers or other technical services.
- Pass details of any health and safety risks and control measures notified to them by the contractor via procurement to the Line-Manager of any Authority employee who may be affected by the risks.
- Notify the relevant Directorate Health and Safety Officers of the provision of certain goods/services (to be defined by local directorate arrangements) to enable the Directorate Health and Safety Officers to carry out audits on contractors' health and safety performance. This will only occur on a percentage of those notified and not on all contracts.
- Provide Procurement with any information requested in a timely manner.

Managing and supervising the goods/service

The internal client will:

- Ensure the contractor is aware of their responsibilities under the Health and Safety Policy for the Selection, Management and Monitoring of Contractors.
- Ensure that they have the competency to manage/supervise the goods/service

Additionally, for Services:

- Obtain and evaluate site-specific risk assessments and method statements and agree with the contractor how the provision of services is to be carried out and the necessary precautions to be taken. This needs to be undertaken before the contract commences and if changes occur at any point during the contract. Ensure that the work undertaken by sub-contractors is considered and included
- Ensure that all appropriate health and safety documentation e.g. risk assessments, care plans, method statements and health and safety plans are received and approved prior to the provision of goods/service commencing and if changes occur at any point during the contract
- Pass details of any health and safety risks and control measures notified to them by the contractor to the Line-Manager of any Authority employee who may be affected by the risks.
- Ensure there are appropriate liaison arrangements in place to allow co-operation between all parties involved and to allow clarification and confirmation of health and safety arrangements. This may take the form of regular meetings or briefings. Records of all health and safety information exchanged between the Competent Officer and contractor in relation to each contract must be kept for legislative, contractual and quality reasons, including the notes of any meetings held
- Ensure that processes are in place to facilitate the passing of further documentation between parties if the situation changes. Any changes should be agreed by all parties and reflected in updated documentation
- Arrange, for reasonable supervision of the provision of service and take appropriate action if hazards or unsafe practices arise from the contractors work activities. How often and what level of supervision/management is required will vary depending on the contract, what service is being provided and the associated risk, and needs to be decided at the start of the contract. On contracts lasting for more than 12 months formal monitoring and review meetings must take place at a frequency dependant on the risk of the contract but not less than every 12 months.
- Make informal checks on the contractor's performance to ensure that work is being done in accordance with documentation. Records of any visits and checks should be kept
- Bring any breaches of health and safety law or agreed safe working practice to the attention of the contractor and take immediate steps with the contractor as required to resolve the issues, in order to improve management of contractors at local premises. You may wish to contact your Directorate Health and Safety Officer should this occur.

- Stop the contractors working immediately where they witness activities that pose a serious and imminent danger to the health and safety of the contractor's employees or others.

Reviewing the contract

The internal client and Procurement Services will, on completion of the provision of goods/services:

- Review the planning, choice of contractor and health and safety management of the contract.
- Ensure a written record of this review is maintained.
- Where the contract is let for services over extended periods of time it is recommended that all parties attend regular meetings at which Health and Safety must be discussed

In addition the internal client will:

- Ensure all relevant documentation is provided by the contractor e.g. electrical test certificates, gas safety inspection reports, delivery notes, operating instructions
- Pass any relevant information to Procurement:
- Where serious issues arise with the contract, ensure that Procurement are informed and where both parties are of the opinion that using this contractor again would pose a risk to the authority, then details should be passed onto Procurement, Building Consultancy and your Directorate H&S Officer.
- Where applicable, provide feedback on the contractor's performance back into the Authority's contractors database.

The Selection and Management of Contractors:

Where contracts for services are tendered for and commissioned through a Technical Services Division, e.g. Building Consultancy, Housing Technical

The Technical Services Division is the [Competent Officer who commissions the service](#) and the [Competent Officer who manages and supervises the service](#). The Internal Client still has limited monitoring responsibilities and responsibility to provide accurate information to the Technical Services Division. As an Internal Client you should check the arrangements to ensure that you are clear on what your specific responsibilities are and what you need to do, and that you are clear what the Technical Services Division will do on your behalf.

N.B. Where the phrase 'Technical Services ' is used it should be taken to mean any service area within the Authority that provides a contract commissioning and management service and includes the following:

- Building Consultancy
- Housing Technical
- Engineering
- Highways /NCS
- DLO
- Private Housing
- Planning

This guidance only relates to contracts for services as a Technical Service would not usually be involved in contracts purely for goods

Commissioning the service

The Technical Service will:

- Ensure that the contractor is provided with details of all aspects of the goods/service required (put together the specification for work) including required standards if applicable (e.g. legislative requirements, BS EN standards)
- Ensure that only contractors who can demonstrate their health and safety competence are engaged to undertake activities on behalf of the Authority, for example through the use of the corporate contractor database.
- Ensure any health and safety information, that has been provided by the internal client, likely to affect the health and safety arrangements for the provision of the service or information on any inherent health and safety risks that may affect their work activity or the health and safety of their personnel are provided to the contractor in writing. This should be given in sufficient time to allow the contractor to formulate method statements, risk assessments, safe systems of work and if

necessary health and safety plans to address the issues. Information provided by the internal client may include; risk assessments, contact details for the internal client, site specific arrangements/emergency arrangements, any applicable policies and procedures

- Where informed by the client or other interested party consider any service where contractors may come into contact with children or vulnerable adults and ensure the necessary checks have been carried out. The Authority reserves the right to refuse deployment of any individual used by the contractor who does not meet the appropriate criteria
- Ensure contractors are provided with a copy of the CCBC Health and Safety policy for the Selection, Monitoring and Management of Contractors.

The Internal Client will:

- Prepare the specification for goods / services in connection with the Technical Service.
- Ensure any health and safety information likely to affect the health and safety arrangements for the service or information on any inherent health and safety risks that may affect their work activity or the health and safety of their personnel are provided to the contractor in writing via the Technical Service. This should be given in sufficient time to allow the contractor to formulate method statements, risk assessments, safe systems of work and if necessary health and safety plans to address the issues. Information provided by the internal client may include; risk assessments, contact details for the internal client, site specific arrangements/emergency arrangements, any applicable policies and procedures
- Where necessary, identify and request from the Technical Service information/ checks where contractors may come into contact with children and/or vulnerable adults.
- Pass details of any health and safety risks and control measures notified to them by the contractor via the Technical Service to the Line-Manager of any Authority employee who may be affected by the risks.

Managing and supervising the service

The Technical Service will:

- Obtain and evaluate risk assessments (site specific where required) and method statements and agree with the contractor and internal client how the service is to be carried out and the necessary precautions to be taken. Ensure that the work undertaken by sub-contractors is considered and included
- Advise the internal client to ensure that adequate time is allowed for the service to be carried out in a safe manner.

- Ensure the contractor is aware of their responsibilities under this policy.
- Ensure that all appropriate health and safety documentation e.g. risk assessments, method statements and health and safety plans, are received and approved prior to service commencing.
- Discuss and provide details of any health and safety risks and control measures notified to them by the contractor to the Line-Manager of any Authority employee who may be affected by the risks.
- Ensure there are appropriate liaison arrangements in place to allow co-operation between all parties involved and to allow clarification and confirmation of health and safety arrangements. This may take the form of regular meetings or briefings. Records of all health and safety information exchanged between the Competent Officer, Internal Client and contractor in relation to each contract must be kept for legislative, contractual and quality reasons including the notes of any meetings held
- Ensure that processes are in place to facilitate the passing of further documentation between parties if the situation changes. Any changes should be agreed by all parties and reflected in updated documentation
- Notify the relevant Internal Client and Directorate Health and Safety Officer of certain services (to be defined by local directorate arrangements) to enable the Directorate Health and Safety Officers to carry out audits on contractor's health and safety performance. This will only occur on a percentage of those notified and not on all contracts
- Arrange for reasonable supervision of the service and take appropriate action if hazards or unsafe practices arise from the contractors' work activities. On contracts lasting for more than 12 months formal monitoring and review meetings take place at frequencies depending on the risk of the project but not less than every 12 months. The level of supervision/management provided by the Technical Service will depend on the Service Level Agreement in place with the internal client and needs to be decided at the start of the contract
- Where informed by the internal client, or noticed during site visits, bring any breaches of health and safety law or agreed safe working practice to the attention of the contractor and the client and take immediate steps with the contractor as required to resolve the issues.
- Where informed by the internal client, or noticed during site visits, stop the contractors working immediately where they witness activities that pose a serious and imminent danger to the health and safety of the contractor's employees or others.

The Internal Client will:

- Be aware of the service being provided.
- Make informal checks on the contractor's performance to ensure that work is being done in accordance with documentation
- Stop the contractors working immediately where they witness activities that pose a serious and imminent danger to the health and safety of the contractor's employees or others in order to ensure onsite safety of employees and others. Written information must be kept of such incidences.
- Bring any apparent breaches of health and safety law or agreed safe working practices to the attention of the contractor and the Technical Service.

Reviewing the contract

The Technical Service will, on completion of the services:

- In consultation with the internal client carry out a post contract review to include the health and safety management of the contract.
- Ensure a written record of this review is maintained.
- Ensure all relevant documentation is provided by the contractor e.g. electrical test certificates, gas safety inspection reports, survey reports, operating instructions.
- Where serious issues arise with the contract and the competent person is of the opinion that using the contractor again would be a risk to the authority, then details should be passed to onto procurement, Building Consultancy and your Directorate H&S Officer.
- Where applicable, provide feedback on the contractor's performance back into the Authority's contractor's database.

The Internal Client will:

- Provide feedback to the Technical Service during and on completion of the service.

Appendix 2



CORPORATE HEALTH AND SAFETY MANAGEMENT ARRANGEMENT - CMA ???

HEALTH AND SAFETY REQUIREMENTS FOR THE SELECTION AND MANAGEMENT OF CONSTRUCTION CONTRACTORS

Introduction - Contracts for Construction Activities

Contracts for construction work can cover a wide range of activities. ‘Construction work’ means 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, 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 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; and
- (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,

This document is intended as a generic management arrangement for the commissioning and management of contractors for construction activities, and only covers the internal client responsibilities and how these are split within the Authority. Depending on how construction works are commissioned within the Authority these responsibilities are split in different ways. This note does not seek to provide detailed information on the CDM Regulations or to cover other roles that may be undertaken e.g. designer or principal contractor responsibilities.

The issue

Caerphilly County Borough Council has health and safety responsibilities for contractors engaged to carry out work in its behalf. The Construction (Design and Management) Regulations 2007 (CDM) apply to all construction works and set out the legal obligations placed on those classed as duty holders under the regulations.

The issue is bigger than simply selecting the best value competent contractor. Health and safety legislation requires us to ensure that contractors are given the right health and safety information, the right documents are in place, the risks are assessed and the job is managed and supervised safely.

NB. This guidance only covers what is required to comply with health and safety law and does not cover other legal or internal requirements e.g. Financial and Standing Order Regulations

Who is a Client?

The HSE define the 'client' as an organisation or individual for whom a construction project is carried out. Therefore the Authority is ultimately the 'client', however on a day-to-day basis the 'internal client' is the person, department or section within the Authority for whom the construction activities are being carried out. Part of the internal client's responsibility is to check that arrangements are in place that ensure the Authority meets its legal duties as the 'client'.

What are the Client's responsibilities?

The Client has a big influence over how the work is done. The client has the following responsibilities for all construction projects: -

1. Check the competence and resources of all appointees
2. Allow sufficient time and resources for all stages – a rushed project is likely to be unsafe and of poor quality
3. Provide information to your team – the construction team will require key information if it is to design and construct something that is safe to build, safe to use, safe to maintain, alter or demolish. They will need information about what you want, how you propose using it, the existing site and existing hazards e.g. asbestos.
4. Ensure you and your team communicate – your project will only run effectively if you do. This may take the form of regular meetings or briefings. Records of all health and safety information exchanged between the Competent Officer and contractor in relation to each contract must be kept for legislative, contractual and quality reasons, including the notes of any meetings held.

5. Ensure suitable management arrangements are in place – you are not always required to take an active role in managing the work, however you need to make sure that suitable arrangements are in place throughout the project. The type and level of checks needed will depend on the work being undertaken and the risks involved. On site monitoring and/or informal checks on the contractors H&S performance, however, are recommended, especially for high risk or more complex projects.
6. Ensure adequate welfare facilities are on site – you should ensure that your contractors provide adequate welfare facilities for construction workers as soon as possible.
7. Ensure that workplaces are designed properly – if your project is for a new workplace, or for alterations to an existing workplace, you must ensure that the requirements set out in the Workplace (Health, Safety and Welfare) Regulations 1992 are met.

The client has additional responsibilities where a project is notifiable under the Construction (Design and Management) Regulations 2007. A project is notifiable if it will take more than 30 working days or more than 500 person hours. The additional responsibilities for notifiable projects include to: -

8. Appoint a competent CDM Co-ordinator – Your CDM Co-ordinator is there to advise and assist you with your CDM duties on notifiable jobs.
9. Appoint a competent principal contractor – you should make this appointment at the earliest opportunity so that they can be involved in discussions about buildability, usability and maintainability and have time to plan the work properly.
10. Ensure a construction health and safety plan is in place – The Principle Contractor has to produce a construction phase health and safety plan outlining key arrangements to ensure that the work is carried out safely. You should not allow work to start on site until there is an adequate plan in place.
11. Retain and provide access to the H&S file – at the end of the project the CDM co-ordinator will provide a health and safety file. This file needs to be kept safe, made available to anyone who needs to alter, maintain or demolish the building and updated if circumstances change

How do I select and manage a contractor?

The HSE's guidance on CDM is clear that clients may know little about construction and are not required or expected to plan or manage projects themselves. Clients have a responsibility to ensure that various things are done, but are not normally expected to do them themselves.

There are three ways in which the Authority can commission a contractor to undertake work:

1. [The Internal Client tenders for and commissions the work themselves](#) (appendix 1)
2. [Procurement tenders for and commissions the work on behalf of the Internal client](#) (appendix 2)
3. [A Technical Service tenders for and commissions the work on behalf of the Internal client](#) (appendix 3)

In all cases the Authority is the client, and so more than one Officer, Directorate or Service Area can work together to discharge the client duties, however the internal client should check to ensure that suitable arrangements are in place with each area so that the Authority meets its legal duties as the 'client'.

What do I do if I am unhappy or concerned with a contractors H&S performance?

Initially issues should be addressed directly with the contractor by the internal client, Procurement or any Technical Service being used. Where issues are not satisfactorily addressed, then the Directorate H&S Officers should be informed and action taken as appropriate to ensure work is undertaken safely. Any Officer can suspend works if they are concerned about the immediate safety of contractors, employees, services users or members of the public.

Where serious issues arise or contractors are frequently causing concern (i.e. more than 3 instances within a year being reported to the Directorate H&S Officer) then a written report must be submitted to the Technical Panel for consideration. The Technical Panel will consider the report and decide what action should be taken with regards to barring the contractor from Constructionline or from any lists held by the authority. Any decision taken by the Technical Panel shall be made in line with the CCBC - Approved list of construction contractors procedures document.

The legal position

The Management of Health and Safety at Work Regulations 1999 set out the requirements for a health and safety management system and this includes the steps needed to manage safety when engaging a contractor.

The Construction (Design and Management) Regulations 2007 [CDM Regulations] cover all work involving construction activities.

Specific legislation e.g. The Working at Heights Regulations 2005, the Control of Asbestos at Work Regulations 2006, the Workplace (Health, Safety and Welfare) Regulations 1992 and the Control of Substances Hazardous to Health Regulations 2005 may also apply. Details of which are not included in this note.

If as an internal client you do not comply with your duties then there is an increased possibility of a dangerous or even fatal incident whilst your construction work is being carried out. In addition, your finished project may not be safe to use, safe to maintain or not deliver good value for money. If you fail to appoint a CDM Co-ordinator or principal contractor where projects are notifiable this could mean that you are legally liable when things are not carried out as specified within the legislation.

Breaches could result in the work on your construction site being stopped, which could result in you or the Authority being prosecuted by the Health and Safety Executive.

Further information

The HSE have produced very good leaflets entitled:

Use of Contractors – A Joint Responsibility. This is available free from HSE books on 01787 881165 quoting reference INDG368.

Want construction work done safely? A quick guide for clients on the Construction (Design and Management) Regulations 2007. This is available free from HSE books on 01787 881165 quoting reference INDG411.

Copies of these leaflets can also be downloaded from HSE's website at www.hse.gov.uk/pubns.

Other CCBC management arrangement and guidance documents are available to help you discharge your duties, these include:

Health and Safety Management Arrangements on the Selection and Management of Contractors for Goods and Services.

Want Construction Works Done Safely – A Quick Guide

If you have any queries regarding your responsibilities please contact your Directorate Health and Safety Officer or the Corporate Health and Safety Unit.

Health and Safety Requirements for The Selection and Management of Construction Contractors:

Where contracts for work are tendered for and commissioned directly by the internal Client

The Internal Client is the Competent Officer who commissions the work and the Competent Officer who manages and supervises the project

N.B. Where the Internal Client is to tender for, commission, manage and supervise the contract they must ensure that they are competent to do so

Commissioning the work

As the Competent Officer who commissions the work, the internal client will:

- Ensure contractors are provided with a copy of the Health and Safety Policy for the Selection, Monitoring and Management of Contractors, any other applicable policies e.g. Smoking, Asbestos, and are aware of their responsibilities
- Ensure that the contractor is provided with details of all aspects of the work required (put together the specification for work) including required standards if applicable (e.g. legislative requirements, BS EN standards)
- Ensure that only contractors who can demonstrate their health and safety competence are engaged to undertake activities on behalf of the Authority. Further details can be found on the Guidance note for the Selection of Contractors. Ensure that a record is kept of any documentation obtained
- Consider any work where contractors may come into contact with children or vulnerable adults. Ensure the necessary checks have been carried out and where necessary carry out a risk assessment as to the suitability of the contractor working where they may come into contact with children or vulnerable adults where necessary. The Authority reserves the right to refuse deployment of any individual used by the contractor who does not meet the appropriate criteria
- Ensure any health and safety information likely to affect the health and safety arrangements for the contract or information on any inherent health and safety risks that may affect their work activity or the health and safety of their personnel (e.g. asbestos survey, local access arrangements) are provided to the contractor in writing. This should be given sufficient time to allow the contractor to formulate method statements. Information provided by the internal client may include; risk assessments, contact details for the internal client, site-specific arrangements/emergency arrangements, any applicable policies and procedures.

- Ensure that points 1 – 7 on page 2 of this guidance document are addressed and that records are kept of all relevant documentation

Additionally where the project is notifiable under part 3 of the CDM regulations the internal client must:

- Ensure that points 8-11 (on page 2) are addressed in addition to those above, this will include the appointment of a CDM Co-ordinator and a Principle Contractor

As an internal client you can appoint yourself as a CDM co-ordinator and/or principal contractor provided, you have the necessary competence and resources to comply with the additional CDM Duties (many of which are not discussed in this guidance)

As a Client you can also take on additional responsibilities either intentionally or unwittingly. This could occur where you specify materials or methods of working as you may become a designer in relation to this area and take on the designer duties under the CDM regulations.

Managing and supervising the project

As the Competent Officer who monitors the work, the internal client will:

- Obtain and evaluate site and job specific risk assessments and method statements and agree with the principal contractor how the work is to be carried out and the necessary precautions to be taken, including the work to be undertaken by sub-contractors. As the internal client you are not expected to have in depth knowledge of the activities that the contractor will be undertaking, you are however expected to ensure that the risk assessments take into account any on site hazards that may exist and that they seem suitable and sufficient. You may require help and assistance from others to be able to carry this out. The depth of risk assessments etc will depend on the type of activities involved and the associated risks. If as a client you specify specific working practices, directly manage the contractors or carry out the construction work yourself you will legally become a contractor under the CDM regulations.
- Ensure that adequate time and budget is allowed for the work to be carried out in a safe manner, including planning time where appropriate.
- Ensure that all appropriate health and safety documentation e.g. risk assessments, care plans, method statements and health and safety plans are received and approved prior to work commencing.
- Pass details of any health and safety risks and control measures notified to them by the contractor to the Line-Manager of any Authority employee who may be affected by the risks.

- As detailed in point 3 & 4 on page 2, ensure there are appropriate liaison arrangements in place to allow co-operation between all parties involved and to allow clarification and confirmation of health and safety arrangements. This may take the form of regular meetings or briefings. Records of all health and safety information exchanged between the competent officer and contractor in relation to each contract must be kept for legislative, contractual and quality reasons, including the notes of any meetings held
- Ensure that processes are in place to facilitate the passing of further documentation between parties if the situation changes. Any changes should be agreed by all parties and reflected in updated documentation
- Notify the relevant Directorate Health and Safety Officers of certain works (to be defined by Directorate arrangements) to enable the Directorate Officers to carry out audits on contractor's health and safety performance. (This will only occur on a percentage of those notified and not on all contracts)
- As per point 5 on page 2, ensure management arrangements are in place and arrange for reasonable supervision of the work and take appropriate action if hazards or unsafe practises arise from the contractors work activities. How often and what level of supervision/management is required will vary depending on the contract, what project is being undertaken and the associated risk, and needs to be decided at the start of the contract. This does not mean that you have to carryout the supervision yourself, for low risk projects this could include:
 - Checking that there is adequate protection for the public and where necessary your staff
 - Asking for confirmation that adequate welfare facilities have been provided
 - Asking your construction team to explain their arrangements for managing the work on site.
 - Arrangements for regular project review meetings.

For high-risk projects or large-scale projects consideration should be given to undertaking visits to site to monitor H&S compliance. For ongoing or open-ended (e.g. maintenance) contracts meetings should be held periodically and no less than every 12 months.

- Bring any breaches of health and safety law or agreed safe working practice to the attention of the contractor and the client and take immediate steps with the contractor as required to resolve the issues. You may wish to contact your Directorate H&S Officer, CDM co-ordinator for advice.

- Stop the contractors working immediately where they witness activities that pose a serious and imminent danger to the health and safety of the contractor's employees or others.

Additionally where the project is notifiable under part 3 of the CDM regulations the internal client must:

- Ensure, as per point 10 on page 2, that a pre-construction phase plan is in place **before work commences**
- Ensure that suitable management arrangements are in place – including the provision of welfare facilities.
- Provide information necessary for inclusion in the Health and Safety File to the CDM Co-ordinator
- As per point 11 on page 2, retain and provide access to the Health and Safety File, on completion of the project

Reviewing the contract

As the Competent Officer who reviews the work the internal client will, on completion of the works:

- Ensure that the premises are in a safe condition e.g. all contractors' tools and equipment have been removed, and that the work has been completed to an acceptable standard.
- Review the planning, choice of contractor and health and safety management of the contract.
- Ensure a written record of this review is maintained.
- Ensure all relevant documentation is provided by the contractor e.g. electrical test certificates, gas safety inspection reports, health and safety file (as required by CDM).
- Where serious issues arise and the internal client (or other member of the CDM Team) is under the opinion that using this contractor again would pose a risk to the Authority, details should then be passed onto Procurement, Building Consultancy and your Directorate H&S Officer.
- Where applicable, provide feedback on the contractor's performance back into the Authority's contractors' database.

APPENDIX 2

The H&S Requirements for the Selection and Management of Construction Contractors:

Where contractors are tendered for and commissioned through Procurement

Where this route is taken Procurement is the Competent Officer who commissions the work. The Internal Client is the Competent Officer who manages and supervises the project. This does not mean that as the internal client you have no duties during the commissioning activities, your duties are highlighted below.

Both parties must ensure that points 1 - 7 on page 2 of this document are fully complied with.

Commissioning the work

Procurement will, on behalf of the internal client:

- Ensure that only contractors who can demonstrate their health and safety competence are engaged to undertake activities on behalf of the Authority (point 1, pg 2). As part of this obtain and evaluate generic risk assessments and method statements and agree with the contractor how the work is to be carried out and the necessary precautions to be taken. Ensure that the work undertaken by sub-contractors is considered and included
- Once notified by the Internal Client of any work where contractors may come into contact with children or vulnerable adults. Ensure the necessary checks have been carried out and/or are required as part of the tender process. The Authority reserves the right to refuse deployment of any individual used by the contractor who does not meet the appropriate criteria
- Ensure contractors are provided with a copy of the *Health and Safety Policy for the Selection, Monitoring and Management of Contractors* policy and any other applicable policies e.g. Smoking, asbestos.
- Advise and assist the Internal Client in compiling the specification for work
- Ensure copies of all documentation acquired during the selection process are kept and copies also provided to the Internal Client in order to allow sufficient management and supervision of the contract

- During the commissioning stages facilitate communication between all parties, this may include:
 - Passing details of any health and safety risks and control measures notified to them by the contractor to the internal client
 - Obtain and passing to the contractor details of any health and safety risks and control measures notified to them by the internal client.
 - Ensuring copies are kept of all necessary documentation

The involvement of Procurement Services with regards to health & safety ends once the contract has been awarded, except to review contracts where issues arise.

The internal client will:

- Ensure that adequate time and budget is allowed for the provision of goods/services to be carried out in a safe manner, including adequate time for planning if appropriate
- Ensure that the contractor is provided with details of all aspects of the goods/service required (put together the specification for work) including required standards if applicable (e.g. legislative requirements, BS EN standards)
- Where necessary carry out a risk assessment as to the suitability of the contractor working where they may come into contact with children or vulnerable adults, and request information from the contractor via procurement.
- Ensure any health and safety information likely to affect the health and safety arrangements for the contract or information on any inherent health and safety risks that may affect their work activity or the health and safety of their personnel are provided to the contractor in writing via procurement. This should be given in sufficient time to allow the contractor to formulate method statements, risk assessments, safe systems of work and if necessary health and safety plans to address the issues. Information provided by the internal client may include; risk assessments, contact details for the internal client, site specific arrangements/emergency arrangements, any applicable policies and procedures
- Depending on the risks involved obtain and evaluate risk assessments and/or method statements specific to the project to be undertaken. Assistance may be required from the Directorate Health and Safety Officers or other technical service areas.

- Pass details of any health and safety risks and control measures notified to them by the contractor via procurement to the Line-Manager of any Authority employee who may be affected by the risks.
- Notify the relevant Directorate Health and Safety Officers of certain works (to be defined by Directorate arrangements) to enable the Directorate Officers to carry out audits on contractor's health and safety performance. (This will occur on a % of those notified and not on all contracts)
- Provide Procurement with any information requested in a timely manner

Additionally where the project is notifiable under part 3 of the CDM regulations, points 8-10 on page 2 need to be complied with:

Procurement will :

- In consultation with the client ensure that a competent CDM co-ordinator is appointed (point 8).
- When the commissioning stage is completed ensure that a competent principal contractor is appointed (point 9).
- In conjunction with the client ensure that sufficient time is allowed between the relevant appointments and the start of work on site so that the requirement of the CDM regulations can be met.

The internal client will, in addition to the joint requirements above ensure:

- That information is provided to the principal contractor relating to the health and safety file.
- That the construction phase does not start unless there are suitable welfare facilities and a construction phase plan in place (point 10)

Managing and supervising the work

The internal client will:

- Ensure that they have the competency to manage/supervise the contract
- Obtain and evaluate site and job specific risk assessments and method statements and agree with the principal contractor how the work is to be carried out and the necessary precautions to be taken, including the work to be undertaken by sub-contractors. As the internal client you are not expected to have in depth knowledge of the activities that the contractor will be undertaking, you are however expected to ensure that the risk assessments take into account any on site hazards that may exist and that they seem suitable and sufficient. You may require help and assistance from others to be able to carry this out. The depth of risk assessments etc

will depend on the type of activities involved and the associated risks. If as a client you specify specific working practices, directly manage the contractors or carry out the construction work yourself you will legally become a contractor under the CDM regulations.

- Ensure that adequate time and budget is allowed for the work to be carried out in a safe manner, including planning time where appropriate.
- Ensure that all appropriate health and safety documentation e.g. risk assessments; care plans; method statements and health and safety plans are received and approved prior to work commencing.
- Pass details of any health and safety risks and control measures notified to them by the contractor to the Line-Manager of any Authority employee who may be affected by the risks.
- As detailed in point 3 & 4 on page 2, ensure there are appropriate liaison arrangements in place to allow co-operation between all parties involved and to allow clarification and confirmation of health and safety arrangements. This may take the form of regular meetings or briefings. Records of all health and safety information exchanged between the competent officer and contractor in relation to each contract must be kept for legislative, contractual and quality reasons, including the notes of any meetings held.
- Ensure that processes are in place to facilitate the passing of further documentation between parties if the situation changes. Any changes should be agreed by all parties and reflected in updated documentation
- Notify the relevant Directorate Health and Safety Officers of certain works (to be defined by Directorate arrangements) to enable the Directorate Officers to carry out audits on contractor's health and safety performance. (This will only occur on a percentage of those notified and not on all contracts)
- As per point 5 on page 2, ensure management arrangements are in place and arrange for reasonable supervision of the work and take appropriate action if hazards or unsafe practices arise from the contractors' work activities. How often and what level of supervision/management is required will vary depending on the contract, what project is being undertaken and the associated risk, and needs to be decided at the start of the contract. This does not mean that you have to carry out the supervision yourself, for low risk projects this could include:
 - Checking that there is adequate protection for the public and where necessary your staff
 - Confirming that adequate welfare facilities have been provided
 - Ensuring your construction team explains their arrangements for managing the work on site.
 - Arrangements for regular project review meetings.

For high-risk projects or large-scale projects consideration should be given to undertaking visits to site to monitor H&S compliance. For ongoing or open-ended (e.g. maintenance) contracts meetings should be held periodically and no less than every 12 months.

- Bring any breaches of health and safety law or agreed safe working practice to the attention of the contractor and the client and take immediate steps with the contractor as required to resolve the issues. You may wish to contact your Directorate H&S Officer, CDM co-ordinator for advice.
- Stop the contractors working immediately where the internal client witness activities that pose a serious and imminent danger to the health and safety of the contractor's employees or others.

Additionally where the project is notifiable under part 3 of the CDM regulations the internal client must:

- Ensure, as per point 10 on page 2, that a pre-construction phase plan is in place **before work commences**
- Ensure that suitable management arrangements are in place – including the provision of welfare facilities.
- Provide information necessary for inclusion in the Health and Safety File to the CDM Co-ordinator
- As per point 11 on page 2, retain and provide access to the Health and Safety File, on completion of the project

Reviewing the contract

As the Competent Officers who review the project, the internal client and Procurement Services will, on completion of the works:

- Review the planning, choice of contractor and health and safety management of the contract.
- Where serious issues have arisen and either party is under the opinion that using this contractor again would pose a risk to the Authority, details should be discussed and passed on to other appropriate parties (e.g. Building Consultancy, Directorate Health and Safety Officers)
- Ensure a written record of this review is maintained.

In addition the internal client will:

- Ensure that the premises are in a safe condition e.g. all contractors' tools and equipment have been removed, and that the work has been completed to an acceptable standard.
- Ensure all relevant documentation is provided by the contractor e.g. electrical test certificates, gas safety inspection reports, health and safety file (as required by CDM).
- Where applicable, provide feedback on the contractor's performance back into the Authority's contractor's database.
- As per point 11 on page 2, obtain the health and safety file. This file needs to be kept safe, made available to anyone who needs to alter or maintain the building and updated if circumstances change

The Health and Safety Requirements for the Selection and Management of Contractors:

Where contracts are tendered for and commissioned through a Technical Services Division, e.g. Building Consultancy, Housing Technical, Engineering

The Technical Services Division is the Competent Officer who commissions the service and the Competent Officer who manages and supervises the service. The internal Client still has significant responsibilities under the CDM Regulations to ensure that the necessary steps are taken. As an internal client you should check the arrangements to ensure that you are clear on what your specific duties are and what you need to do.

N.B. Where the phrase 'Technical Services ' is used it should be taken to mean any service area within the Authority that provides a contract commissioning and management service and includes the following:

- Building Consultancy
- Housing Technical
- Engineering
- Highways
- DLO
- Private Housing
- Planning

Both parties must ensure that points 1 - 7 on page 2 of this document are fully complied with.

Commissioning the work

The Technical Service will:

- Ensure that only contractors who can demonstrate their health and safety competence are engaged to undertake activities on behalf of the Authority, for example through the use of the corporate contractor database. Ensure that the work undertaken by sub-contractors is considered and included
- Ensure that any health and safety information, that has been provided by the internal client, likely to affect the health and safety arrangements for the contract or information on any inherent health and safety risks that may affect the contractors work activity or the safety of their personnel are provided to the contractor in writing. This should be given in sufficient time to allow the contractor to formulate method statements, risk assessments, safe systems of work and if necessary health and safety plans to address the issues. Information provided by the internal client may include; risk assessments, contact details for the internal client, site specific arrangements/emergency arrangements, any applicable policies and procedures

- Where informed by the client or other interested party consider any service where contractors may come into contact with children or vulnerable adults and ensure that the necessary checks have been undertaken. The Authority reserves the right to refuse deployment of any individual used by the contractor who does not meet the appropriate criteria
- Ensure contractors are provided with a copy of the CCBC Health and Safety Policy for the Selection, Monitoring and Management of Contractors.
- Ensure that the contractor is provided with details of all aspects of the goods/service required (put together the specification for work) including required standards if applicable (e.g. legislative requirements, BS EN standards)

Additionally where the project is notifiable, the technical service, under part 3 of the CDM regulations will ensure point 8 & 9 on page 2 complied with, that is to:

- Appoint a CDM Co-ordinator (point 8)
- Appoint a Principal Contractor (point 9)

The Internal Client will:

- Prepare the specification for the construction project in connection with the Technical Service.
- Ensure any health and safety information likely to affect the health and safety arrangements for the contract or information on any inherent health and safety risks that may affect their work activity or the health and safety of their personnel are provided to the contractor in writing via the technical service being used. This should be given in sufficient time to allow the contractor to formulate method statements, risk assessments, safe systems of work and if necessary health and safety plans to address the issues. Information provided by the internal client may include; risk assessments, contact details for the internal client, site specific arrangements/emergency arrangements, any applicable policies and procedures
- Where necessary, identify and request from the Technical service information/ checks where contractors may come into contact with children and/or vulnerable adults, and undertake a risk assessment where necessary
- Pass details of any health and safety risks and control measures notified to them by the contractor via procurement to the Line-Manager of any Authority employee who may be affected by the risks.
- Provide the technical service with any information requested in a timely manner

Additionally where the project is notifiable, the internal client, under part 3 of the CDM regulations will:

- Ensure that the technical service appoint a competent CDM co-ordinator and Principal Contractor.

Managing and supervising the work

The Technical Service will:

- Obtain and evaluate site-specific risk assessments and method statements and agree with the principle contractor and the internal client how the work is to be carried out and the necessary precautions to be taken. The depth of risk assessments etc will depend on the types of activities involved and the associated risks. Ensure that the work undertaken by sub-contractors is considered and included
- Advise the internal client to ensure that adequate time is allowed for the work to be carried out in a safe manner including adequate time for planning if appropriate.
- Ensure the contractor is aware of their responsibilities under this policy.
- Ensure that suitable management arrangements are in place – including the provision of welfare facilities
- Ensure that all appropriate health and safety documentation e.g. risk assessments, , method statements and health and safety plans are received and approved prior to work commencing.
- Discuss and provide details of any health and safety risks and control measures notified to them by the contractor to the internal client so that this can be shared with other line managers of Authority employees who may be affected.
- Ensure there are appropriate liaison arrangements in place to allow co-operation between all parties involved and to allow clarification and confirmation of health and safety arrangements. This may take the form of regular meetings or briefings. Records of all health and safety information exchanged between the competent officer, internal client and contractor in relation to each contract must be kept for legislative, contractual and quality reasons, including the notes of any meetings held (as per points 3 and 4 on Page 2)
- Ensure that processes are in place to facilitate the passing of further documentation between parties if the situation changes. Any changes should be agreed by all parties and reflected in updated documentation

- Notify the relevant Directorate Health and Safety Officers of certain works (to be defined by Directorate Arrangements) to enable the Directorate Officers to carry out audits on contractor's health and safety performance (This will occur on a percentage of those notified and not on all contracts)
- As per point 5 on page 2, ensure management arrangements are in place and arrange for reasonable supervision of the work and take appropriate action if hazards or unsafe practices arise from the contractors' work activities. How often and what level of supervision/management is required will vary depending on the contract, what project is being undertaken and the associated risk, and needs to be decided at the start of the contract. The level of supervision undertaken by the technical service will depend on the type of service level agreed with the internal client and needs to be decided at the start of the contract. For low risk projects this could include:
 - Checking that there is adequate protection for the public and where necessary your staff.
 - Confirming that adequate welfare facilities have been provided.
 - Ensuring your construction team explains their arrangements for managing the work on site.
 - Arrangements for regular project review meetings.
- For high-risk projects or large-scale projects consideration should be given to undertaking visits to site to monitor H&S compliance. For ongoing or open-ended (e.g. maintenance) contracts meetings should be held periodically and no less than every 12 months.
- Arrange for reasonable supervision of the work and take appropriate action if hazards or unsafe practices arise from the contractors' work activities. On contracts lasting for more than 12 months formal monitoring and review meeting must take place, at frequencies depending on the risk of the project but not less than every 12 months. The level of supervision undertaken by the technical service will depend on the type of service level agreed with the internal client and needs to be decided at the start of the contract.
- Where informed by the internal client, or noticed during site visits, bring any breaches of health and safety law or agreed safe working practice to the attention of the contractor and the client and take immediate steps with the contractor as required to resolve the issues.
- Where informed by the internal client, or noticed during site visits, stop the contractors working immediately where they witness activities that pose a serious and imminent danger to the health and safety of the contractor's employees or others.

Additionally where the project is notifiable under part 3 of the CDM regulations, the technical service will:

- Ensure that a pre-construction phase plan is in place **before work commences**
- Ensure that welfare facilities are in place **before work commences** (point 10 , Page 2)
- Provide information necessary for inclusion in the Health and Safety File to the CDM Co-ordinator
- On completion of the project ensure that the Health and Safety File is provided to the internal client.

The Internal Client will:

- Be aware of work going on and ensure that the necessary monitoring / supervision arrangements are in place. This may also include the internal client carrying out informal checks on the contractor's activities.
- Where details are provided ensure that they are passed on to other line managers who may be affected by the project.
- Stop the contractors working immediately where they witness activities that pose a serious and imminent danger to the health and safety of the contractor's employees or others.
- Bring any breaches of health and safety law or agreed safe working practices to the attention of the contractor and the Technical Service being used.

Additionally where the project is notifiable under part 3 of the CDM regulations:

- Once received from the technical service, retain and provide access to the Health and Safety File.
- Where required provide information pertaining to the Health and Safety File to the CDM Co-ordinator

Reviewing the contract

The Technical Service will, on completion of the works:

- In consultation with the internal client carry out a post contract review to include the health and safety management of the contract.
- Ensure a written record of this review is maintained.

- Ensure all relevant documentation is provided by the contractor e.g. electrical test certificates, gas safety inspection reports, health and safety file (as required by CDM).
- Where serious issues arise with the contract and the competent person is of the opinion that using the contractor again would be a risk to the Authority, then details should be passed onto Procurement, Building Consultancy and you Directorate H&S Officer.
- Where applicable, provide feedback on the contractors performance back into the Authority's contractor's database.

The Internal Client will:

- Provide feedback to the Technical Service on completion of the works.