

# Management of Contractors Policy

Policy for the Control and Management of Contractors  
on NHS Lanarkshire  
owned, occupied or maintained Properties

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<b>Governance or Assurance Committee</b>	<b>Occupational Health and Safety Performance Group</b>
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<b>Responsible Person</b>	<b>General Manager PSSD</b>

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<b>i) CONSULTATION AND DISTRIBUTION RECORD</b>	
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<b>Consultation Process / Stakeholders:</b>	<ul style="list-style-type: none"> <li>• Director of Human Resources</li> <li>• Director of Planning, Property &amp; Performance</li> <li>• Chief Accountable Officer Health &amp; Social Care South</li> <li>• Chief Accountable Officer Health &amp; Social Care North</li> <li>• Head of Medical Physics</li> <li>• General Manager (PSSD)</li> <li>• Director of Information and Digital Technology</li> <li>• Deputy Director PSSD (Operations)</li> <li>• Deputy Director PSSD (Property &amp; Assurance)</li> <li>• Head of Planning and Development</li> <li>• Head of Maintenance</li> <li>• Head of PFI/PPP Contracts</li> <li>• The Head of Digital Operations</li> <li>• General Manager Procurement</li> <li>• Partnership Representative (UNISON)</li> <li>• Head of Health &amp; Safety (Salus Occupational Health, Safety &amp; Return to Work Service)</li> <li>• Director of Hospital Services Monklands Hospital</li> <li>• Director of Hospital Services Hairmyres Hospital</li> <li>• Director of Hospital Services Wishaw Hospital</li> <li>• Integrated Health &amp; Social Care Manager (Mental Health and Learning Disabilities Services)</li> <li>• North Health &amp; Social Care Partnership Representatives</li> <li>• Integrated Health &amp; Social Care Manager (North Unit)</li> <li>• Integrated Health &amp; Social Care Manager (Wishaw Unit)</li> <li>• Integrated Health &amp; Social Care Manager (East Kilbride/Rutherglen/Cambuslang Unit)</li> <li>• Integrated Health &amp; Social Care Manager (Hamilton/Clydesdale Unit)</li> </ul>
<b>Distribution:</b>	<ul style="list-style-type: none"> <li>• Site Directors/General Managers</li> <li>• Heads of Department and Ward Managers</li> <li>• All staff through FirstPort – NHSL Web Portal</li> </ul>

<b>CHANGE RECORD</b>			
<b>Date</b>	<b>Author</b>	<b>Change</b>	<b>Version No.</b>

## 1. Introduction

NHS Lanarkshire (NHSL) utilises contractors to carry out various types of work. This can range from very simple work such as window cleaning, servicing of equipment, maintenance and repair of buildings to larger construction type projects for new buildings. The term 'contractor' does not exclusively refer to maintenance or building workers.

When contractors are engaged to work on NHSL premises the Board has a legal duty to safeguard the health, safety and welfare of those in its employment and also of those not in its employment. There is a duty to liaise with and monitor the work of contractors for the safety of all including the contractors' staff, NHSL staff, patients, visitors and others who may be affected by the contractor's activities.

The contractor also holds similar obligations and it is a legal duty that all parties work together to ensure that any workplace in NHSL remains safe and that risks to Health and Safety are reduced to as far as reasonably practicable.

## 2. Purpose and Aims

### 2.1. Purpose:

The purpose of this policy is to ensure that the activities of contractors who are engaged by NHSL are effectively managed to reduce the risk of harm to themselves, to others and to the environment. This policy provides guidance to all NHSL staff who are involved in the appointment of contractors.

This Policy applies to the use of all external contractors employed to provide specific services or to undertake specific projects on premises occupied by NHS Lanarkshire.

### 2.2. Aims:

NHSL aims are to meet these requirements in so far as is reasonable practicable to provide and maintain safe and healthy working conditions, equipment and systems of work for all staff, patients and visitors, and to provide such resources, information, training and supervision as needed.

## 3. Scope

NHS Lanarkshire as an organisation employs contractors to undertake a wide variety of work. This policy is applicable to all those Services that engage/employ Contractors.

### 3.1 Who is the Policy intended to Benefit or Affect?

NHSL staff, patients, visitors, contractors and the local community

### 3.2 Who are the Stakeholders?

NHSL staff, contractors, service users, carers and partner agencies

"NHS Lanarkshire takes care to ensure your personal information is only accessible to authorised people. Our staff have a legal and contractual duty to keep personal health information secure, and confidential. In order to find out more about current Data Protection legislation and how we process your information, please visit the Data Protection legislation Notice on our website at [www.nhslanarkshire.scot.nhs.uk](http://www.nhslanarkshire.scot.nhs.uk) or ask a member of staff for a copy of our Data Protection Notice."

## 4. Management of Contractors

### 4.1 Definition

**Contractor/Consultant** is any individual, company or organisation, other than an employee, engaged by NHSL to carry out any work or technical services for gain or reward. People carrying out work or technical services for an organisation on a voluntary basis are considered to be employees for the purposes of health and safety. Sub-contractors are individuals, companies or organisations employed to undertake works or technical services, for gain or reward, by the contractor.

**A consultant** is a person who possesses the expertise and special knowledge. In return for a fee, their job is to use their knowledge and provide a specialist service.

This Policy relates to all Contractors are contractors, sub-contractors or consultants

**The Employing Manager** or managers must ensure that the contractor is competent to carry out the works specified and where possible, will utilise certified or accredited contractors/organisations. Throughout the contract period the employing manager will monitor the standard of the contractor's work and the progress made.

It is also the duty of the employing manager to ensure that all relevant safety measures are taken not only to protect the contractors but all persons who may come into contact with NHSL and its undertakings. NHSL has a duty to ensure that these work activities do not alter the conditions or impede the provision of a safe place of work for staff, patients and visitors.

**Appointed, Authorised and/or Competent Persons** an individual, who is appropriately trained, qualified and experienced to carry out the work required or supervise the work in hand. This term has very specific meaning in property and engineering matters and particularly where Construction, Design and Management (CDM) Regulations apply and where there is a requirement for a Permit to Work system. In these circumstances it is likely that only specific PSSD personnel will be qualified.

An authorised person may **direct any person to take specified reasonable action within a specified reasonable time**, or take the action, or authorise another person to take the action if they are satisfied on reasonable grounds that an emergency exists.

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

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

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

**HAI-SCRIBE:** comprises the Implementation and Assessment Process which describes the process for identifying, eliminating or managing built environment infection control risks. It also describes the key personnel involved in this process together with their roles and responsibilities and the fact that collaboration among all those involved in the process is pivotal to its success.

**Notifiable projects:** CDM requires that certain projects be notified to the Health and Safety Executive via the F10 form. These include projects that will last more than 30 days where there will be 20 or more workers on site at any time during the project and any projects involving more than 500 person working days.

The employing manager may delegate some of the duties under CDM Regulations and appoint a principal designer or principal contractor to act on behalf of the NHSL. The NHSL responsible manager is to ensure the competency of the principal designer and contractor and that they complete and submit the ‘F10 Form Notification of construction project’ to the Health and Safety Executive (HSE). A copy must be retained by the NHSL responsible the employing manager.

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

### 4.2 Policy Statement

It is our stated intention to maintain a high standard of health and safety in all of its premises. We are committed to achieving high standards of health, safety and wellbeing, not only in respect of our staff but also in relation to those people we care for or support and for other persons who may be affected by our activities.

NHSL is committed to meeting its obligations under the Health & Safety at Work etc. Act 1974, the Management of Health & Safety at Work Regulations 1999 (as amended) and all related legislation and supporting Approved Codes of Practice for managing Contractors working on its sites and elsewhere.

This policy sets out the basis for consistent decision-making and operational practice required when work is being undertaken by Contracting Companies on NHSL premises and elsewhere. The purpose of this policy is to minimise the risks to the health and safety of NHS Staff, Patients, Contracting Company Personnel and Third Parties.

NHSL often uses contractors to carry out various types of work and the selection and management of such contractors is a critical element of the management of health and safety for all those who work in and visit NHSL. Works contracted out by NHSL can range from simple work such as window cleaning, equipment repair/service and security services to major construction projects to extend or refurbish or maintain premises.

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Departments who may utilise the service of contactors include Clinical Services, Facilities, IT, Telecommunications, Pharmacy, Medical Physics and Labs: this list is not exhaustive. These Services/Departments will therefore be required to comply with implementation of this Policy. All contracting companies and their staff, including sub-contractors, must also adhere to the requirements set out in this policy.

Contractor(s) must assess the risks for the contracted work and together with the managers of the Service consider any risks from each other's work that could affect the health and safety of the patients, staff or anyone else and then implement the required controls.

This Policy must be read in conjunction with local Control of Contractors Procedure and any other associated local policies and procedures.

Staff should be familiar with their obligations and levels of authority within NHSL defined Financial Instructions and other associated instructions before preparing to appoint Contractors to do any form of work.

### 4.3 Objectives

The Management of Contractors Policy objectives is to:

- minimise incidents and control contractor activities within NHSL;
- protect the health, safety and welfare of contractor's workers, NHSL staff, Service Users and members of the public affected by work and/or maintenance activities;
- improve the co-ordination between NHSL staff and contractors who carry out work and activities on premises which are occupied by NHSL;
- provide a structured approach to health, safety and welfare for duties and activities which are undertaken on premises occupied by NHSL;
- ensure that before contracts are finalised the competence of contractors is assessed in relation to health and safety matters;
- ensure that adequate information is provided to all contractors engaged to work on premises occupied by NHSL.

### 4.4 Reporting Structures

The responsibility for monitoring the management procedures for the management of contractors will be through the relevant Divisional governance forums and those with responsibility for instructing and overseeing contractual works. The reporting structure to Corporate Governance is shown in Appendix 1.

### 4.5 Site Induction

Prior to carrying out works or services on premises occupied by NHSL, contractors should ensure all staff undertaking work are competent to do so and are familiar with safe working practice within a Healthcare environment. Where a site specific induction is required the person instructing the work will be responsible for ensuring this is in place unless this is delegated to another party or is not considered necessary.

### 4.6 Control of Contractors on Site

Responsibility for the management of contractors employed to carry out tasks related to the maintenance, modifications and alternation of the estate varies according to the arrangements in place on that site.



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Works commissioned by parties with whom NHSL have service level agreements in place with will assume management responsibility for the works. This does not preclude the requirement for contractors operating on such premises to comply with the requirement set out on this policy.

### 4.7 NHS Lanarkshire Site Safety Rules (for Contractors)

Contractors shall not interfere with or connect to the electricity, gas, water, fire alarm or other systems within Healthcare Premises without the specific permission of the authorised person for that area.

In addition to ensuring that a contractor complies with the site requirements it is also essential that all contractors working in areas occupied by NHSL comply with NHS Lanarkshire Site Safety Rules (see Appendix 2).

### 4.8 Permit to Work

It is the responsibility of the employing manager to ensure that the appropriate permits for the work are in place.

The Permits must be arranged in accordance with NHSL's Permit to Work system. The employing manager must ensure that a contractor obtains a Permit to work (PTW) for either the isolation or 10 days prior to interruption of any systems, services or specific hazardous activities and must also ensure the Facilities Manager and/or Service Manager is aware of the PTW. Where isolation PTW is required there must be sufficient consultation, exchange of information and planning between all parties concerned prior to the work commencing, in order to facilitate the PTW process and minimise disruption to the building and its occupants. A PTW will only be issued if the appropriate control measures, identified by risk assessments, are put in place.

The Permits must be arranged in accordance with NHSL's Permit to Work system. It is the employing manager who is responsible for controlling the contractors and consequently for ensuring the appropriate Permit to Work is in place.

Permit to Work systems are designed to ensure that safe methods of working are adopted in circumstances where there is a potential hazard to those carrying out the work or to the building users.

PTW's are issued for either the isolation or interruption of systems or services or specific hazardous activities.

An "Isolation" PTW is required, for work on, or affecting, the following systems:

- Electrical services;
- Mechanical services.
- Water supplies;
- Local exhaust ventilation systems and fume cupboards;
- Building management systems;
- Fire alarm systems;
- Physical isolation of installed smoke detectors;
- Lifts;
- Access to IT Server Rooms; and
- Works to, or impacting upon IT infrastructure.

A "Hazardous Activities" PTW is required for: -

- Hot work (tasks such as welding, brazing, or cutting that produce heat);
- Confined space (an area with limited means of entry or exit that is large

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- enough for a person to enter and perform work);
- Access to roofs;
- Excavations;
- Asbestos; and
- Work within or impact on a critical area (an area deemed high risk due to electrical/heat/patient welfare considerations).

### 4.9 Documentation

Contractors may be requested to produce documentation to ensure compliance with statutory and regulatory requirements. These may include but are not limited to:

- Employers Liability Insurance
- Public Liability Insurance provided by Contractors.
- Health and Safety Policy
- HAI-Scribe Documentation;
- Method Statements / Risk Assessments
- Notification of any HSE prosecutions or improvement notices
- Qualification or industry body affiliation certificates
- Training Records
- First Aid provisions
- Material Safety Data Sheets (MSDS)
- Equipment List and PAT testing results
- Gas Safe Registration
- Confirmation of basic Disclosure Barring System (DBS) provided by Contractors Employer

### 4.10 Risk Management

The employing manager engaging any contractor is responsible for ensuring that risks associated with the works are adequately controlled. The measures needed to achieve this will depend on the nature and complexity of the work being done.

### 4.11 HSE Notifiable Projects

Under the Construction Design and Management Regulations and in relation to HSE notifiable projects, employing manager must ensure so far as is reasonably practicable that:

- a) Relevant appointments have been made and that those appointed are competent to undertake their duties
- b) Where in place, project boards are advised of the suitability of all appointments and the necessary resources and time required to plan and deliver notifiable construction related projects.
- c) Where any duties relevant to notifiable projects cannot be met, for whatever reason, the project/work is halted and reported to the relevant project board (where in place).

### 4.12 Infection Prevention and Control

All Contractors must maintain good standards of infection prevention/control practice whilst on NHSL premises. This includes attention to hand hygiene when moving around the site.

Prior to the commencement of any contracted work a HAI-SCRIBE will be completed with the necessary multi-disciplinary team and contractor.

The person in charge of the ward/department must be informed prior to works being carried out in case any further infection prevention/control precautions are required. If this is deemed to be the case, the person in charge of the ward/department is responsible for ensuring such measures are in place before the work commences.

#### **4.13 Fire Precautions and Procedures**

Contractors must ensure that they are aware of the emergency evacuation procedure and assembly points, the location of the fire alarm activation systems and the location of the fire suppression systems.

No fires will be lit on buildings occupied by NHSL.

The contractor shall inform the Authorised Person before carrying out any work involving open flames, producing heat and/or sparks or dust. A 'Hot Work' Permit will be issued by the Authorised Person for all such work (at least 24 hours' notice is normally required).

Any wall construction breached by the Contractor for the passage of cables or pipes etc shall be sealed in such a way that its fire integrity is restored to a recognised specification.

**Fire exits must be kept clear at all times**

#### **4.14 Properties managed by other organisations**

NHS Lanarkshire has a number of differing arrangements in relation to the properties that are occupied by their service users and staff. These fall into two different categories;

- Properties managed by NHSL; and
- properties managed by other organisations; NHS organisations, Local Authorities, Private Landlords.

For properties managed by other organisations all construction works (including small works and repairs and maintenance) are undertaken via the host organisations. In these circumstances the control of contractors is managed by the host organisations.

#### **4.15 Active Monitoring**

Those employing manager(s) who engage/employ contractors will meet with those contractors on regular basis to discuss the effectiveness of their risk control procedures. Any gaps in these procedures must have in place improvement plans to close those gaps off.

The employing manager who is engaging/employing the contractor before any work commences should check the contractors risk assessments, method statements (RAMS) only to make sure that they are up to date and are relevant to the location/task/environment. Ownership of the risk assessment and method statement in terms of being suitable and sufficient rests with the Contractor. Any technical review and comment on a contractors RAMS should only be undertaken by a suitably qualified and competent member of NHSL staff.

#### **4.16 Reactive Monitoring**

Adverse events involving contractors on NHS Lanarkshire own properties will be investigated by the contractor themselves. However, should the causal factors of an incident or accident be attributed NHSL then this must be reported using the DATIX system and investigated as per the NHSL Adverse Event Management Policy and

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Procedure. Contractors must ensure that any findings from investigations that could impact on the health and safety of NHSL staff are communicated to the responsible employing manager /department/ service who requested the contractor. Any agreed actions to prevent recurrence must be taken forward jointly

Where monitoring has identified deficiencies recommendations and actions plans will be developed and changes implemented accordingly.

### 5. Organisational Responsibilities

The NHSL's Occupational Health and Safety Governance and Strategic Framework sets out the roles and responsibilities for the management of Health Safety across the organisation

Everyone is responsible for complying with the organisation's arrangements for the management of contractors, including the implementation of local management controls. In order to comply with this policy, all staff must be aware of the lines of communication and levels of responsibility, which exist to ensure that all matters of health and safety are dealt with effectively.

#### 5.1. Accountabilities and Responsibilities

**5.1.1. The Chief Executive (Duty Holder)** is responsible for NHSL wide implementation of this policy, ensuring that sufficient resources and are available to maintain and manage its obligations and that effective arrangements for the management of health and safety are put in place.

The Chief Executive is also required to ensure that this policy is extended to all contractors and private or independent service providers who provide care, staff, equipment, buildings or other services or facilities for the direct care of patients or clients.

The Chief Executive shall delegate the responsibility for revising and updating the Management of Contractors Policy to the, Director of Planning, Property & Performance (Deputy Duty Holder)."

**5.1.2. The Executive Director (Deputy Duty Holder)** Director of Planning, Property & Performance is responsible on behalf of the Duty Holder, for the review of this policy on a regular basis and ensuring it is updated as necessary to reflect changes in legislation and guidance. In addition to review any issues of concern notified to them directly on the safe operations and management of contractors and reporting their findings in regard to any significant risks associated with the management of contractors to the Occupational Health and Safety Performance Group.

**5.1.3. The Executive Leads Health and Social Care Partnerships;** are responsible for overseeing the implementation of the health, safety and risk management strategy throughout the Health and Social Care Partnerships through the Chief Accountable Officers.

**5.1.4. The Director of Planning, Property & Performance;** is responsible for ensuring that systems have been identified for the management of contractors and that they meet the legal and organisational requirements for the management of contractors under the authority of PSSD.

**5.1.5. The Director of Information and Digital Technology;** has responsibility for overseeing the implementation of the safe management of contractors instructed and employed direct by eHealth.

**5.1.6. The Head of Medical Physics;** is responsible for overseeing the safe management of contractors instructed and employed direct by Medical Physics.

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- 5.1.7. The Head of Planning and Development;** has delegate the responsibility for the overseeing the implementation of the safe management of contractors for the delivering of project works. The Head of Planning will maintain responsibility for ensuring that project works and services are not initiated without the involvement of the General Manager PSSD or nominated deputy.
- 5.1.8. The General Manager PSSD** will on behalf of the Director of Planning, Property & Performance manage the operational areas of the safe management of Contractors, chairing the PSSD Statutory Compliance Group and directing the strategic requirements and execute NHSL activities including legislative compliance associated with occupational health and safety within their area of responsibility.
- 5.1.9. The Deputy Director PSSD (Operations)** is responsible for the day-to-day responsibility for controlling and managing any identified risk associated with the safe management of contractors and is the optional lead of the PSSD Statutory Compliance Group.
- 5.1.10. The Deputy Director PSSD (Property & Assurance)** is responsible for the management of the Private Finance Initiative (PFI) contracts. Within each of the contracts, arrangements are in place for the management, monitoring and recording of contract performance. These arrangements will include monitoring and reviewing issues associated with occupational health and safety.
- 5.1.11. The Head of Maintenance Services,** is responsible for the day-to-day management of contracts within their area of responsibility and ensure arrangements are in place for the management, monitoring and recording of contract performance. These arrangements shall include monitoring and reviewing issues associated with occupational health and safety.
- 5.1.12. The General Manager of Procurement** is responsible for ensuring all procurement (contractor selection) is undertaken in compliance with NHSL procurement processes and that the contractors are notified of this policy.
- 5.1.13. The Occupational Health and Safety Performance Group** is responsible for reviewing any issues of concern notified to the group on the safe operations and management of contractors by Divisional governance forums. The Occupational Health and Safety Performance Group is chaired by the Director of Human Resources
- 5.1.14. The Head of Digital Operations** is responsible for appointing contractors and responsible for ensuring that the contractors are competent, including with regard to Health and Safety. They are also responsible for ensuring contractors avail themselves of safety information where appropriate, including the site asbestos register. The Head of Digital Operations will maintain responsibility for ensuring that IT Infrastructure works and services are not initiated without the involvement of the General Manager PSSD or nominated deputy.
- 5.1.15. The Head of Health & Safety (Salus):** Provide advice and support to the senior management on issues of Health, Safety and Compliance. Collaborate with the employing Manager in investigating breaches of NHSL's Health and Safety policy and procedures.
- 5.1.16. The SCART Manager** is responsible for the continued monitoring/audit of procedures for managing contractors (only PSSD). They will undertake regular meetings and updates with service providers/contractors to ensure that actions arising from annual inspections are fully closed out. They will provide demonstrable

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evidence of compliance to current regulations and policies and provide reports of continued compliance and raise issues of non-compliance as required.

### 5.1.17. The Employing Managers

Departmental Managers, Heads of Departments, Maintenance Managers, Project Managers, Project Leads and staff who originate contract specifications are responsible for ensuring that the necessary health and safety requirements are incorporated within the specification. They will be deemed to be the Employing Manager for the work.

The Employing Manager will ensure that:

- Prior to the commencement of any contracted work a HAI-SCRIBE will be completed with the necessary multi-disciplinary team and contractor;
- before any contracted work commences that contractors are informed of any hazards and risks that they may be exposed to and any specific local controls that may be applicable and adhered to;
- the Contractor(s) inform the Service/Department of any hazards and risks that will be created by their work and what the resultant controls are;
- Contractor(s) provide prior to the commencement of the work, up to date risk assessment(s) and method statement(s);
- contractors/subcontractors have undertaken a COVID19 risk assessment prior to any work commencing. The risk assessment control measures should be reviewed/monitored periodically by the contractor and the employing manager as the work progresses. **Prior to and during the work all contractors/subcontractors must follow NHS Scotland COVID19 protection and preventative guidance whilst on NHS Lanarkshire premises;**
- adequate resource is utilised commensurate with the degree of risk to supervise contractors working on NHSL premises. This will ensure that they comply with health and safety arrangements in place so that the risks to patients, staff and the general public are minimised, agreed local procedures are met and all work is carried out to an acceptable standard;
- engage/employ contractors will monitor the implementation of the policy and any other associated procedures through the use of workplace inspections, safety tours or equivalent; and
- must also prior to the work start up (e.g. where e health commission work to install new service communication cables) advice and where applicable take advice from the PSSD maintenance manager(s) before doing so to ensure that information on any hazards and risks are identified and communicated. (e.g. Asbestos Containing Materials).

**5.1.17. All Staff**, engaged with or affected by contracted work, must ensure they take notice of all information available concerning contractors who are working in their area. Staff should report any hazards or concerns regarding contractors working in their area to their line manager. Staff also have a general duty to ensure that their work does not endanger others, including contractors who are working in their vicinity.

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There is a NHSL process which includes pre-start meetings involving the Services, the employing manager and the contractor, and completion of a 'HAI-SCRIBE assessment. This process ensures all hazards and suitable control measures are made known to contractors working in spaces occupied by the Services.

#### **5.1.18. Contractors**

All contractors and their employees are responsible for complying with the requirements of all relevant health and safety legislation, codes of practice and other relevant guidance, providing proof of competency (e.g. valid licenses and permits where appropriate), ensuring that risk assessments are completed, recorded and reviewed, taking reasonable care of themselves and others who may be affected by their actions.

They must communicate with NHSL staff and the appointed employing manager to ensure there is effective cooperation and coordination of work activities and to ensure that any incidents or potential hazards associated with their work are recorded on NHSL reporting system.

### **6. Resource Implications**

This policy is primarily related to the control of contractors NHSL wide. Failure to meet regulatory standards could lead to imposition of financial penalties, patient harm and reputational damage.

Some additional training will be required to have the necessary responsible and competent people in place, but this is a statutory requirement.

### **7. Communication Plan**

Following endorsement by the Corporate Management Team (CMT) the policy will be displayed on NHSL's intranet (Firstport).

### **8. Quality Improvement – Monitoring and Review**

Divisional, Health and Social Care and General Acute Hospitals Occupational Health & Safety Partnership Committees/Groups are responsible for submitting a quarterly exception reports and/or outline action plans to the Occupational Health and Safety Performance Group following each meeting.

Divisional, Health and Social Care and General Acute Hospitals Occupational Health & Safety Partnership Committees/Groups will be chaired by a member of their Senior Management Team i.e. the Head of Health for Health and Social Care, the Site Director for each of the three Acute sites, the Property & Support Services Department (PSSD) General Manager and a nominated senior manager for other Corporate Service Committees/Groups.

Where appropriate an alternative senior management team lead may be nominated to chair the group.

This policy will be reviewed every three years or as a result of any changes in risk and or in legislation which may occur before this. This policy may also be subject to review if new guidance or legal opinion is issued or NHS Lanarkshire has a serious case that through a system failure(s) merits the policy to be reviewed.

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## 9. Equality Impact Assessment

NHS Lanarkshire is committed to ensuring that, as far as is reasonably practicable, the way we provide services to the public and the way we treat our staff reflects their individual needs and does not discriminate against individuals or groups on any grounds. This policy has been appropriately assessed.

This policy meets NHS Lanarkshire's EQIA



(tick box)

Document B has been completed and a copy has been sent to [Hina.sheikh@lanarkshire.scot.nhs.uk](mailto:Hina.sheikh@lanarkshire.scot.nhs.uk)

## 10. Summary of Policy /FAQs

The Health and Safety at Work Act 1974 places Health and Safety duties on work activities and applies to all employers, employees and the self-employed. The Management of Health and Safety at Work Regulations 1999 builds on the foundations of this Act and places further responsibilities on the use and control of contractors at work. These Regulations apply to both the contractor and the organisation employing the contractor, to ensure that there is effective communication, cooperation and coordination between all stakeholders.

Under these Regulations NHSL has a duty to take reasonable care and ensure that competent contractors are employed and managed appropriately.

This Policy defines responsibilities for the duty of managing contractors working on premises occupied by NHSL and sets out the arrangements for minimising risks.

All contractors are responsible for complying with relevant health and safety legislation and any other applicable statute.

## 11. Archival of Documents

When a corporate policy is created by NHS Lanarkshire it becomes an official document and policies must be controlled within the principles for archiving, retention and destruction contained in Scottish Government circular

As an NHS Lanarkshire Board record, corporate policies must be retained permanently and will be managed through the Knowledge Services. The archive is kept within Firstport. Please email [corporatepolicies@lanarkshire.scot.nhs.uk](mailto:corporatepolicies@lanarkshire.scot.nhs.uk) if you need access to any of the archived documents

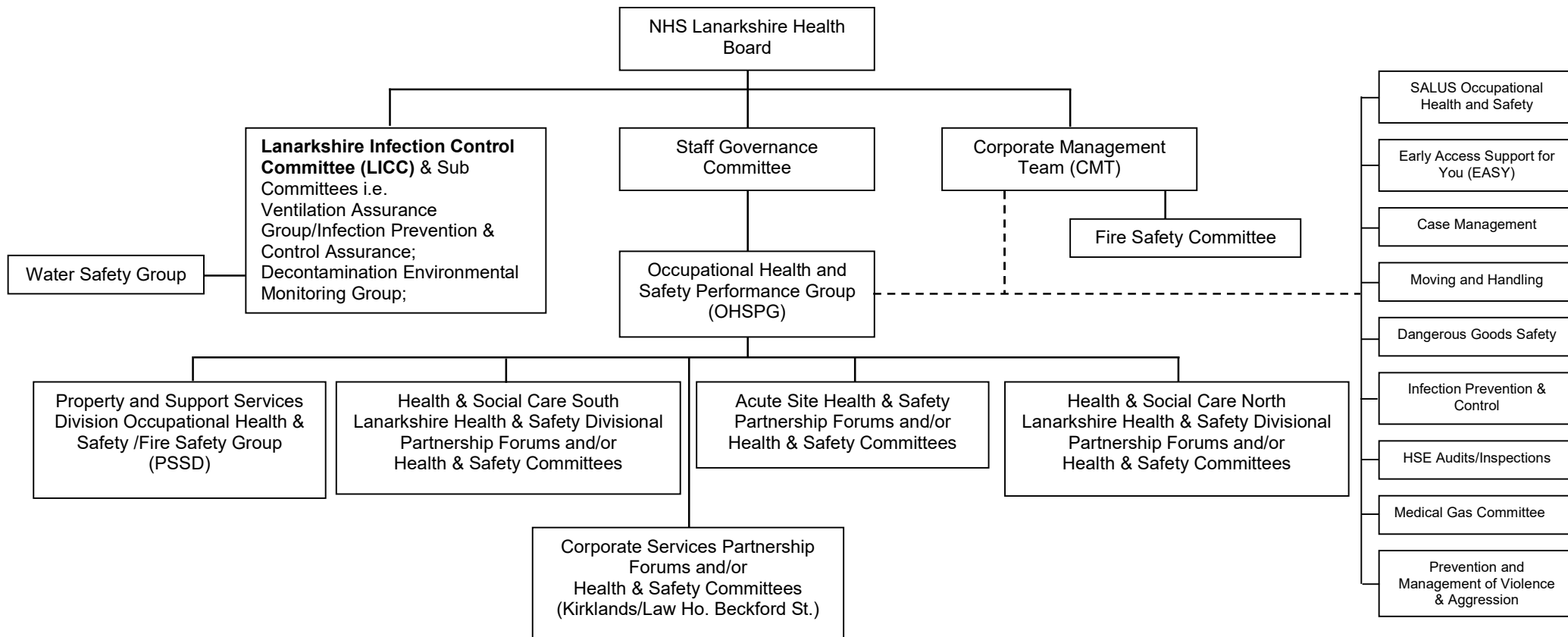


## 12. References

- i. The Health and Safety at Work etc Act 1974
- ii. The Management of Health and Safety at Work Regulations 1999
- iii. The Workplace (Health, Safety and Welfare) Regulations 1992
- iv. The Construction (Design & Management) Regulations 2015 (CDM)
- v. The Control of Asbestos Regulations 2012
- vi. Personal Protective Equipment at Work Regulations 1992
- vii. CEL 13 (2011) - 18 March 2011 'Occupational Health and Safety Strategic Framework for NHS Scotland'
- viii. Occupational Health and Safety Governance and Strategic Framework 2021 - 2024
- ix. Anti-Fraud, Bribery & Corruption Policy
- x. NHSL Fire Safety Policy
- xi. Water Management Policy
- xii. Sustainability Policy
- xiii. Contractor Induction

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### Appendix 1 NHS Lanarkshire Occupational Health and Safety Governance Structure



## Appendix 2

### NHS Lanarkshire Site Safety Rules

No works shall be undertaken until the contractor has read the NHSL's Management of Contractors Policy, reported to the person responsible for arranging and co-ordinating the work, obtained the necessary passes / permits and agreed a site safety regime.

The contractor shall ensure that the contents of these rules are made known to everyone for whom they are responsible on site, including sub-contractors under their instruction.

#### **Risk Assessment**

As a contractor employed by NHSL you must not begin any work until risk assessments have been completed for the proposed works and discussed with the Project Manager.

NHSL will supply you with advice following the completion of our risk assessments and will include any other relevant information.

Copies of risk assessments and a detailed method statement indicating how the job will be safely completed must be provided to the Employing Manager.

#### **Fire Precautions and Procedures**

Fire Evacuation procedures are clearly displayed in every building. The contractor shall familiarise themselves with them and ensure they know what to do in the event of a fire and/or the sounding of the alarm.

#### **No fires will be lit on NHSL premises.**

The contractor shall inform the Authorised Person before carrying out any work involving open flames, producing heat and/or sparks or dust. A 'Hot Work' Permit will be issued by the Authorised Person for all such work (24 hours' notice is normally required).

Any wall construction breached by the Contractor for the passage of cables or pipes etc shall be sealed in such a way that its fire integrity is restored to a recognised specification.

#### **FIRE EXITS MUST BE KEPT CLEAR AT ALL TIMES.**

#### **Asbestos**

At no time shall the contractor attempt to interfere with any materials containing asbestos e.g. ceiling tiles, boarding, cladding, insulation fire stops etc. NHSL maintains a register of all known locations of asbestos that exist on NHSL premises and the Authorised Person will inform the contractor as required. Any contractor finding what they suspect could be an asbestos bearing material on any of NHSL's premises should stop work immediately and bring it to the attention of the Authorised Person.

#### **Portable tools/equipment**

All portable tools brought onto the site must be suitable for use on 110v AC supply. The contractor shall also provide a 240/110v transformer for use with the portable tools. Alternatively, battery driven tools may be used.

Evidence that all portable tools have been portable appliance tested will be required. All 240v AC tools are prohibited unless agreed with the Authorised Person and RCD protected.

NHSL accepts no responsibility for loss or damage to contractor's tools or equipment. No tools or equipment will be loaned to contractors.

### Excavation

No excavation works or underground works are to be undertaken until the area has been scanned and a drawing and Permit to Excavate has been issued by the Authorised Person.

### Permits to work

Permits to Work are required from an Authorised Person before starting work on any of the following:

- Fire Detection Systems;
- High Voltage Installations;
- Steam, condensate, heating and water mains;
- Low Voltage Installations;
- Working in Confined Spaces;
- Hot Works;
- Generators;
- Piped Medical Gases (MGPS);
- Asbestos Removal;
- Access to Roof Areas;
- Pressure Systems;
- Ventilation Systems;
- Access to IT Server Rooms; and
- Works to, or impacting upon IT infrastructure.

Once issued, the conditions of the permit must be strictly adhered to at all times.

Please note this list is designed to give some common examples of work requiring a permit and is not exhaustive.

### Service Users

The contractor should be aware that within the ward/clinical areas their presence might cause embarrassment to the Service User. The contractor must act with the utmost discretion at all times.

To ensure the safety of service users, staff and members of the public, prior to starting any work and before leaving, contractors must ensure the working area is left in a safe and satisfactory condition.

### Conduct

All contractors (regardless of who has commissioned them) must sign in at reception or Nurses Station when arriving at site/ward and sign out when leaving site/ward.

Contractors must not behave in a manner which may cause offence to staff, service users or members of the general public on any premises occupied by NHSL. NHSL reserves the right to remove any contractor from site who behaves in such a manner.

### Infection Protection and Control

All contractors must maintain good standards of infection prevention / control practice whilst on any site occupied by NHSL. This includes attention to hand hygiene when moving around the site.

As this is a healthcare environment there is also a potential risk of an injury from 'sharps'. Any injuries should be reported immediately.

## Management of Contractors Policy

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It is important to inform the person in charge of the ward / department immediately when you arrive to carry out any work in case any further infection prevention / control precautions are required.

The contractor must respond to any instructions given to them by the Infection Prevention and Control team.

Capital development and/or refurbishment work must be risk assessed by the Infection Prevention and Control team.

### **Flammable /Noxious Substances**

Any hazardous materials brought on site should be only in limited amounts and removed at the end of each day.

All of the above are to be used only in strict accordance with COSHH Regulations. Pressurised cylinders must be removed from site at the end of the working day or stored in an approved locked compound.

### **Site Fencing/ Barriers and Signage**

The contractor is to supply and erect safety fencing and/or barriers to isolate the work from others, along with the appropriate warning signs. (All at no extra cost to NHSL and as agreed with the Employing Manager as part of the safety regime).

### **Personal Protective Equipment**

Personnel must wear the correct protective equipment of a type suitable for the working environment in accordance with the Personal Protective Equipment at Work Regulations (1992) and the local safety rules.

### **Waste Removal**

The contractor must remove any waste created during the course of the work on a daily basis. The work area must be cleaned to the satisfaction of the Employing Manager. No skips are allowed without prior arrangement with the Employing Manager.

### **Access Equipment (ladders, scaffolding, MEWPs etc)**

All access equipment shall be provided by the contractor, must be in good condition and suitable for the purpose.

Any ladders or platforms must be securely supported by a second person before being used.

Access equipment must not be left unsupervised under any circumstances. Such equipment must be cordoned off when in use and be removed at the end of the working day.

### **Accidents, Injuries and First Aid**

Injury to persons or “near misses” must be reported to the Employing Manager. This person will be responsible for ensuring that the details are entered in the appropriate organisations accident/incident reporting system.

Contractors must provide their own First Aid facilities.

### **Access and Egress Routes (Internal and External)**

It is the contractor’s responsibility to ensure all access and egress routes, and pedestrian walkways, on NHSL sites are kept unobstructed and clear of debris at all times unless alternative routes are arranged with the Employing Manager.

### **Noise and Vibration**

The contractor shall take appropriate measures to limit the harmful effects of noise and vibration emanating from their work area and shall agree appropriate controls with the Employing Manager.

### **Smoking and Alcohol**

The NHSL operates a “No Smoking Policy”. Consequently, smoking is PROHIBITED whilst on any of the NHSL’s property. The consumption of alcohol or substance misuse is NOT PERMITTED on any of the NHSL’s property.

NHSL reserves the right to remove any contractor from site whom they suspect of being under the influence of drugs or alcohol.

### **Workshop Facilities**

Contractors will be expected to provide their own facilities for welding, cutting, drilling, bending etc. No tools or equipment will be loaned by NHSL.

### **Mess Facilities**

Catering services are available on certain NHSL sites. Overalls must not be worn in any dining areas and clothing must be clean and tidy.

Food must not be consumed in clinical areas, pathology laboratories or plant rooms.

### **Parking**

Arrangements for parking differ according to the site on which the work is taking place.

It is the contractor’s responsibility to ensure that provision is made for parking at the outset and that while on site they only park in designated bays. Site rules, with regards to parking and speed limits, must be observed at all times.

**The above Site Safety Rules are site principles and is not exhaustive.**

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